

**LATROBE VALLEY (AMENDMENT) BILL.**

The Hon. V. O. DICKIE (Minister for State Development), by leave, moved for leave to bring in a Bill to amend the Latrobe Valley Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

**LABOUR AND INDUSTRY (EQUAL PAY) BILL.**

The Hon. J. W. GALBALLY (Melbourne North Province), by leave, moved for leave to bring in a Bill to amend the Labour and Industry Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

**CHIROPODISTS (REGISTRATION) BILL.**

The Hon. V. O. DICKIE (Minister for State Development), by leave, moved for leave to bring in a Bill to amend section 10 of the Chiropractors Act 1968.

The motion was agreed to.

The Bill was brought in and read a first time.

**CRIMES (INHUMANE PUNISHMENTS ABOLITION) BILL.**

The Hon. J. W. GALBALLY (Melbourne North Province), by leave, moved for leave to bring in a Bill to abolish certain inhumane punishments and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

**VAGRANCY (AMENDMENT) BILL.**

The Hon. J. W. GALBALLY (Melbourne North Province), by leave, moved for leave to bring in a Bill to repeal section 5 of the Vagrancy Act 1966.

The motion was agreed to.

The Bill was brought in and read a first time.

**TEMPORARY CHAIRMEN OF COMMITTEES.**

The PRESIDENT (the Hon. R. W. Garrett) laid on the table his warrant nominating the Honorables A. K. Bradbury, W. G. Fry, K. S. Gross, and A. W. Knight to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

**WEST GATE BRIDGE.**

**REPORT OF ROYAL COMMISSION.**

The Acting Clerk announced that pursuant to the directions of an Act of Parliament he had laid upon the table of the House the report of the Royal Commission appointed to inquire into the failure of the West Gate Bridge.

The Hon. J. W. GALBALLY (Melbourne North Province).—I move—

That the report of the Royal Commission into the failure of the West Gate Bridge be taken into consideration on the next day of meeting.

The motion was agreed to.

**GOVERNOR'S SPEECH.**

**ADDRESS-IN-REPLY.**

The PRESIDENT (the Hon. R. W. Garrett).—I have to report that His Excellency the Governor attended the House this day and was pleased to make a Speech of which for greater accuracy I have obtained a copy. As the Speech is printed, I take it that honorable members do not desire that I should read it to them.

The Hon. HADDON STOREY (East Yarra Province).—I move—

That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's opening Speech:—

MAY IT PLEASE YOUR EXCELLENCY:

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament.

It is a great honour to me personally and to the electors of East Yarra Province whom I represent to be

asked to move the motion for the adoption of an Address-in-Reply to the Speech of His Excellency the Governor.

Today, one tends to think that the bonds between Australia and Great Britain are lessening. With Great Britain about to move into the Common Market, there could be a trend away from the close relationship which formerly existed between our countries. It might also be thought that, with people coming here from all parts of the world and bringing an enrichment and diversity of culture which we have not experienced previously, there might be some weakening of the bonds between our two countries. But in fact the heritage which we obtained from Great Britain is fundamental to our society and is something which we cherish and retain. It has given to us our language, our conception of the rule of law which governs us and the democratic processes which we, particularly in this House, support. For these reasons, it is appropriate that in discussing this motion for the adoption of an Address-in-Reply, we take the opportunity of reaffirming our loyalty to Her Majesty the Queen.

It is also most appropriate that we should express our gratitude to the Governor and—although she is not mentioned in the motion—to Lady Delacombe for the great service which they have rendered to this State. Since they have been here, through their activities in moving around and meeting so many members of the community in various fields of endeavour, they have endeared themselves to the people. They have shown how representatives of Her Majesty can play a tremendously significant part in the life of the community.

It is also appropriate that in this motion we should express our gratitude to His Excellency for his Speech to this Parliament.

At the commencement of his Speech, the Governor referred to measures of importance to the

State and to the well-being of its people which will be submitted to this Parliament. It is most significant that he should refer to this role of Parliament, that is, to deal with measures for the well-being of the people. The greatest protection for the well-being of the people is the existence of Parliament itself. Only through the democratic system of rule by elected representatives can the well-being of the people be preserved and maintained. This principle also supports the existence of this Chamber in which the Governor delivered his Speech this afternoon, because the essence of the preservation of liberty is the democratic process, which means the diffusion of power amongst many rather than its concentration in a single hand. It is the diffusion of power which supports the existence of the bicameral system; because the more power is diffused the more the individual's liberty is maintained. Although it may not be the most efficient form of government—in the sense that it may take longer to get something done than if there were in charge an autocrat who simply said, "Do that" and it was done whether it was good or bad—it is much more efficient at protecting the individuals in the community which, after all, is what the process of government ought to be. So it was most fitting that, at the commencement of his Speech, the Governor should refer to the well-being of the people of this State.

One might say that the theme of His Excellency's Speech was the preservation and improvement of the quality of life of the people of Victoria. He emphasized the necessity to preserve our environment and its natural resources. In doing so he referred to a number of activities which are being adopted by the Government. He referred to environment protection, land conservation, urban renewal, freeways, transport and to a variety of things each of which can be regarded in a separate compartment in a particular field of Government activity, but all of which

together are essential for the preservation and the proper functioning of the environment in which we exist. They should be looked at as a whole in the way that this Government, as evidenced throughout the Governor's Speech, has done.

The object of the preservation of the environment must be to ensure the maximum utilization of material and cultural resources with the minimum of interference with natural resources, so that members of the community may develop to the best of their abilities their own particular talents and capabilities and preserve this environment for future generations.

When one talks of environment and what needs to be done, it is necessary to state the context. The context is one of growth in population at an exponential rate, and the concentration of population more and more within urban centres. At the time of Christ, there were approximately 113 million people in the world. One thousand years later, there were 275 million. By 1650 A.D. the population had grown to 500 million. Then the explosion commenced! Within the next 200 years the number of people in the world had risen to 1,000 million. Now it is estimated to be 3,000 million, and it is expected that by the end of this century it will be 6,000 million—a doubling within a period of no more than 30 years.

Exactly the same pattern is evident in Australia. At the time of Federation there were about 3.5 million people in this country. Fifty years later the population had grown to 8.3 million people. In 1969, it was 12.5 million, and it is expected that within another 30 years the population will be 25 million persons—again, a doubling within a period of no more than 30 years.

Somebody commented that, if such an increase in population were observed in any species in the animal kingdom, man would regard it as a

plague. We do not regard it as a plague, but we recognize that we have to cope with and understand the problems involved in this tremendous growth in population, which is becoming more and more an urban population. In 1900, 25 per cent of the people of the world lived in urban communities. It is estimated that by the end of this century the proportion will be 60 per cent. In Australia the percentage is higher. The 1961 census revealed that 80.9 per cent of the Australian population resided in urban centres and in the 1966 census the corresponding figure was 83.2 per cent. Doubtless the latest census will show that the percentage has again increased.

Although I do not want to ignore the problems of the rural areas, it is clear that in Australia the greatest environmental problems occur in the growing urban areas, and in Victoria this occurs in Melbourne in particular. One must therefore turn to look at what happens in a city. F. A. Hayek, the American political scientist, in his book, *The Constitution of Liberty*, said—

Thus the city, which is the source of nearly all that gives civilization its value and which has provided the means for the pursuit of art as well as of material comfort, is at the same time responsible for the darkest blotches in this civilization.

What was he referring to? Lewis Mumford is the author of many books on the city and in his monumental work *The City in History* he has traced the development of the city from the primitive community to what he refers to as the megalopolis, the type of city one finds in New York or in Tokyo. He traced the disorders to people which emanate from such a city and which lead to the development of what is known as giantism. He speaks of citizens being flooded by a ravage of paper from all sorts of administrative agencies, which are trying to keep the cities working, and he speaks of the problems of traffic. In this context he refers in particular to New York where

in 1907 a horse-drawn vehicle travelled at approximately 11.5 miles an hour, and by 1965 with the advent of mechanical means of travel a car was able to travel at approximately 6 miles an hour. So once again progress has succeeded!

This problem of transport brings with it frustrations and disorders caused by people being crammed together on public transport. There are also the wastes and discharges from homes and factories which lead to pollution in the community. In such a city there is also a rise in the crime rate and the eventual result is that man tends to find himself isolated and not able to have that contact with the rest of his fellow beings that he has in a small city or community. This leads to the demoralization of mankind and is the most tragic and most worrying concept which can occur from the uncontrolled growth of such a city.

These disorders are not evident in Melbourne because we have, as the Governor has told us, through the process of town planning and pollution control, taken steps which will prevent Melbourne from ever reaching the stage of disorder described by Mumford.

I mention this, however, to point out what have been recognized as the problems which could arise in a city where no attention is paid to the environment, and to stress the importance of keeping this example in mind in contemplating whether in any city or State the environment should be controlled. I was most gratified to know that this was one of the first aspects of the Government's activity mentioned by His Excellency in his Speech.

I should like to mention four aspects of the control of the environment, particularly in relation to the city. The first is to determine what type of city one should strive for. Probably one cannot strive for it, but one can have a concept towards which planning is directed. It must evolve as the exigencies of the occa-

sion arise. In his book *The City in History* Mumford refers to the ideal concept as—

The etherialised city of the future, which would unite the urban and rural components into a porous regional complex, multi-centred, but capable of functioning as a whole.

In other words, the logical way in which to develop a city is into centres within a city where people congregate and carry on their lives, but are able to use the facilities of the greater city when those facilities are needed.

When one looks at Melbourne one finds that this is the trend of development under Melbourne's town planning scheme. There is a growth of centres within the city but outside the central city. In this way people can perhaps return not entirely but further towards the type of community where one can know one's fellow beings, and where one can associate with them and derive the advantages of being not just a cog in a machine but a living individual in a thriving community.

The second aspect to which I refer briefly is the inter-relationship between all these aspects of control of the environment. These include the inter-relationships of urban development, the control of traffic, the control of pollution and the control of the environment generally. I shall illustrate this by referring to the motor car which, whilst a boon to mankind, also brings with it problems to mankind. It brings problems in two aspects, namely, the traffic problems which occur in a large city and also the emission of noxious discharges which cause pollution. In the past the Government has indicated the need to strive towards a concept of public transport and private transport working together to provide a means of conveyance through the city. That, together with the development of centres within the city but outside the central city, could overcome the problems of traffic to some extent, but would not overcome the problems of pollution.

*The Hon. Haddon Storey.*

What might appear to be an answer to the pollution problems caused by motor cars is to require that every car be fitted with a device to prevent the emission of these noxious wastes. This has happened with the emissions of crankcase gases from motor cars, but as yet no reasonable device has been found for controlling the emission through the exhaust pipe of a motor car.

In a paper delivered to the Economic Society of Australia and New Zealand, Mr. N. Fisher, of Melbourne, showed what it would cost to equip all cars with an anti-pollution device which would prevent discharges from exhaust pipes. He took 2.8 million cars as the number of cars in the urban areas of Australia and he estimated a cost of \$70 a car to fit such a device. Then he made allowances for increased running costs and so on, and came up with the figure of \$1,772 million which would be required to fit all cars with the device. That is an enormous amount of money and makes one wonder whether this is the answer to the problems caused by pollution from motor cars.

There are other answers but I am giving this as an illustration of the need to consider the inter-relationship of all factors. The real problem with pollution from motor cars occurs where motor cars are gathered in one area. Under these same circumstances the problems associated with traffic congestion also occur. So the solution of traffic congestion would also go a considerable way towards solving the problems of pollution caused by motor cars. One can consider all sorts of alternative answers to these problems.

One answer may be to ban all motor cars from freeways and the city. This would solve the problem, but would create many others and would be out of the question as an answer. Indeed, it would be an illiberal approach. Another approach might be to provide that only people who really need to go to the city

should go there, and that could be introduced either by imposing special charges on cars that enter the city or by applying special registration fees for these cars. Perhaps another solution could be some sort of tax relief for cars fitted with an anti-pollution device. In this way, economics could be used to lessen pollution arising from motor cars and at the same time could lead to an easing of the traffic congestion caused by the presence of too many motor vehicles on the roads. I am not advocating any of these measures as essential because they all need inquiry and research. However, they illustrate the inter-relationship of the different aspects of control of the environment.

My third point is that control of the environment is for the benefit of the individual. One must examine the wishes and the needs of all the individuals in the community to know what should be done to control the environment. In this respect, education is essential. In recent years the community has become much more aware of the pollution of the environment than was the case in the past. The steps now being taken to control pollution can be advanced further by greater education in schools on the subject of environment. In America where the problems of pollution and the environment are much more acute than in Australia, educational courses in schools and text-books deal with such aspects as motor-car pollution, urban development, and so on. These matters should be considered here.

Fourthly, environmental control is necessarily administered by various public agencies. How this is done should always be open to scrutiny and review. At present the environment is controlled by town planning legislation, under the provisions of which the Town Planning Appeals Tribunal has been established. The Environment Protection Act provides for an Appeals Tribunal in relation to licences, and the Urban Renewal Act provides for consultation with the various interested

parties in the community, and for a right of appeal to the Minister against any decisions that have been made. These safeguards are necessary in any legislation relating to the control of the environment and it is pleasing to know that they exist. It is hoped that similar provisions will be made in any further legislation which may be enacted in this field.

Consideration of all of these aspects leads to the view that today, as His Excellency has said, the community is paying a great deal more attention to the control of the environment. This stems from a desire that the quality of life for the individuals in the community may be preserved and also improved for the benefit of the coming generations.

I shall now refer to a different type of environment, namely, commercial environment which embraces many of the activities in which people engage. Over the years, the community has deemed it necessary to control commercial activities. In the days of small communities in which every member knew every other member, common law took the view that, when a person made a bargain, he should be bound by it for good or bad because he knew what he was doing, and probably everyone else also knew what he was doing. As the community grew more complex and sophisticated, it became necessary to protect persons who might not be abreast of current conditions. This brought about the enactment of legislation relating to money lenders, and, in more recent times, the Door-to-Door Sales Act and the various Acts relating to hire purchase.

Today His Excellency said that the Government was considering the introduction of measures to protect the public interest against unethical motor vehicle traders. This could be considered to be an extension of control of the commercial environment. As the community becomes more and more complex, new and different types of

commercial activities emerge and it becomes necessary to consider whether further legislation is necessary.

In substance, hire purchase is a means of acquiring goods on credit, although the technical legal aspects are somewhat different. In recent years, new methods of acquiring goods on credit such as chattel mortgages, revolving credit accounts, and so on, have been developed and used in the community. These are designed essentially to produce the end result of a hire-purchase agreement, namely, the acquisition of goods on credit. In other words, the consumer is provided with credit by not having to pay cash when he obtains the goods.

The Hire Purchase Act provides a desirable protection in various ways for hirers and persons who provide finance. However, there is no legislation relating to the new forms of consumer credit to which I have referred. This has been recognized by the Standing Committee of Attorneys-General, which commissioned a report from a committee at the Adelaide law school. The committee made a report in which changes in the law were recommended. A committee of the Law Council of Australia is now considering how the recommendations may be implemented, but it has not yet made a report. When the committee makes its report it would be appropriate for the Government to consider the recommendations to determine whether certain provisions, such as those at present embodied in the Hire Purchase Act, could be extended to cover other commercial activities to achieve the same result. These matters are all related to the protection of the individual.

I am privileged to be a member of this Parliament where questions relating to the protection of the individual can be and are dealt with through Parliamentary processes. I am conscious of the fine example set in this Chamber by my predecessor, who made excellent contributions to its

debates. I can but hope to emulate the standard which he set. Therefore, it is all the more pleasing to me to have the honour of moving the adoption of an Address-in-Reply to the Speech of His Excellency the Governor in order that I may express our loyalty to Her Majesty the Queen and our gratitude to His Excellency for the Speech he made today.

**The Hon. C. A. M. HIDER** (Monash Province).—I deem it an honour to second the motion for the adoption of an Address-in-Reply to the Speech of His Excellency the Governor so ably moved by Mr. Storey. I also deem it an honour, so early in the sessional period, on my own behalf and that of my constituents, to have the opportunity to reaffirm our loyalty to Her Majesty the Queen. Mr. Storey has ably expressed the bonds which link Australia and Great Britain.

I wish to refer to the Ministry of Social Welfare. The appointment of this Ministry was most significant and in my view particularly important. Social welfare is an area of concern not only to the Government but more importantly to every citizen in the community. The issues of quality of life have risen and become dominant in politics, and I believe the issues of social welfare will similarly rise and become of importance to the community. Understandably, the community perhaps has been more concerned with its own material prosperity and success and has not thought so deeply about the problems of the depressed minorities. Fortunately this tendency is changing and the Government will find support from the community in enacting legislation to improve the position of minorities. Surely the affluent society cannot allow any areas of depression, poverty, misery and hardship to exist within its borders.

The minorities I refer to, which should be the concern of the community and this Government, are the aged, the handicapped, the young, the criminals, and the Aborigines. These

can be broken up into various sub-groups such as the deserted wife, the single mother, the working mother, the unemployed and the unemployable, and the hardships and problems that arise with the large family, and from the alcoholic and other addicts. Individually each of these groups does not form a large part of the community, but collectively they comprise a significant percentage. They can perhaps be put under a general heading of "the poor".

The various studies that have been carried out on poverty indicate that in Australia there are probably up to a million people living near the subsistence level. Certainly in this country in excess of 500,000 people can be described as living in conditions of poverty. An affluent society should not tolerate this situation and we have the power to remedy it. I believe the community is now requiring Governments to take action to remedy these areas of poverty wherever possible. Mostly it is purely a question of finance and of assessing priorities rather than of saying that one area has been satisfactorily dealt with and other areas brought up to minimum standards. A situation in which 500,000 people live below the subsistence level is just not acceptable.

In Britain various estimates have been made of the number of households living close to the subsistence level. One such estimate is 14 per cent. Fortunately, here the estimates are lower than that. The problem of the poverty syndrome is now accepted. The people living in poverty have every chance of seeing their children brought up in conditions of poverty, malnutrition, lack of education, and lack of opportunity, which merely repeats the vicious circle. Today's poor are therefore producing tomorrow's poor, tomorrow's unemployable, and tomorrow's problem for society. Much can be done in these areas to relieve the depression for the various minorities.