MOUNT GAMBIER SHOW GROUNDS BILL 1917

Legislative Council, 27 September 1917, page 350

Second reading

**The MINISTER of EDUCATION (HON A. W. Styles)—**The Bill I am introducing is to enable the Corporation of Mount Gambier to grant to the Mount Gambier Agricultural Society a lease for a term of 12 years of a block of land adjoining the show grounds.

The Hon. J. Lewis—Who does the land belong to now?

The MINISTER of EDUCATION—It is in the hands of the Mount Gambier Corporation, which wishes to lease it to the society.

The Hon. J. Lewis—Cannot the corporation do it now?

The MINISTER of EDUCATION—Not until this Bill is passed.

The Hon. J. Lewis—Is it not a reserve?

The MINISTER of EDUCATION—I believe it is. Members who have been to Mount Gambier and the members for the district know the position, and I am sure will assist in passing this measure. At present this land is vested in the corporation “in trust for recreation purposes for the inhabitants of the municipality of Mount Gambler.”

The Hon. J. Lewis—And you are taking it?

The MINISTER of EDUCATION—No. It is held for recreation purposes for the inhabitants of Mount Gambier. It is therefore in the same category as park lands, and cannot be used for any other purpose without special statutory authority. To lease it without the authority of an Act of Parliament would be contrary to the Municipal Corporations Act, and might involve the corporation in legal proceedings at the instance of a ratepayer. In any case the lease would be invalid. The land is urgently required for the extension of the local show ground, and the Mount Gambier Corporation is quite willing to grant the necessary lease if it has power to do so. This Bill accordingly provides that the Municipal Corporation of Mount Gambier may grant a 12 years’ lease of the land in question, subject to terms and conditions as may be agreed upon between the corporation and the society. Members will see the necessity of allowing this lease to be entered into. I am given to believe that a very large majority of the people of the town are quite prepared that such arrangement shall be made. The municipal council, as representing the people, are willing, and the Mount Gambier Agricultural and Horticultural Society are willing to make the agreement so that this land may be put to its fullest use. I know there is a disinclination on the part of some members to lease any park lands, and to a certain extent I agree with their views. This, however, seems to be a special case which may be considered on its merits. I hope therefore, that members will see their way clear to assist the people interested to bring about what should be a satisfactory arrangement. I move the second reading.

The PRESIDENT—I point out to the Minister that this Bill appears to me to come under Standing Order 271, which states:—“Bills of a hybrid nature introduced to the Council by the Government, which (a) have for their primary and chief object to promote interests of one or more municipal corporations, district councils, or public local bodies, rather than those of municipal corporations, district councils, or public bodies generally; (b) authorise the granting of Crown or waste lands to an individual person, a company, a corporation, or local body; shall be proceeded with as public Bills, but shall each be referred to a Select Committee after the second reading.”

I have looked through this Bill, and as far as I can see it is a Bill affecting the interests of the Mount Gambier Corporation, and not in common with those of other corporations. I therefore rule that after it has passed its second reading it must be referred to a Select Committee. The object of the Standing Order is to protect persons who may be affected by such a Bill, and to enable them to offer their objections before it has passed, when they have no such opportunity. Without such protection certain injustice may be done to individuals.

The Hon. J. BOTTERILL secured the adjournment of the debate until October 2.