

Adelaide Park Lands Preservation Association Inc
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Patron: Dr Lynn Arnold AO



Hon. Ian Hunter, MLC
Minister for Sustainability, Environment & Conservation
GPO Box 1047
Adelaide SA 5001

Dear Minister

**Report concerning the (old) Royal Adelaide Hospital site,
pursuant to section 23 of the *Adelaide Park Lands Act 2005***

Soon after the opening of the New Royal Adelaide Hospital (“the new RAH”) now set for late 2016, the old Royal Adelaide Hospital (“the old RAH”) will be “no longer required for any of its existing uses.”

There has been considerable debate over what should happen to the old RAH site, but over the past eight years the fact that the site would no longer be required as a hospital has not been in any doubt. As long ago as June 2007, public announcements to this effect were made by Government Ministers. On 25 March 2009 the former Minister for Health made a Ministerial Statement to the House of Assembly (*Hansard* page 2072) canvassing many options for the site, none of which included its continued use as a hospital.

This year, the Government appointed real estate agents JLL who have advertised:

“...on behalf of Renewal SA, ... seeking global interest from experienced organisations and consortia to develop all or part of The Royal Adelaide seven hectare site through an Expression of Interest process “

Section 23 of the *Adelaide Park Lands Act 2005* (“the Act”) places an obligation upon you as the Minister to prepare “a report concerning the State Government’s position on the future use and status of the land” including “information on ... the action (if any) that would be required in order to make the land suitable for public use as park lands.”

The Adelaide Park Lands Preservation Association notes that the “prescribed period” for preparation of this report is “18 months.” Neither the Act nor the *Adelaide Park Lands Regulations 2006* specify when this prescribed period commences. However, it would be contrary to principles of statutory construction to interpret this period as commencing only after the proposed vacation of the old RAH.

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To favour such a construction would be to render Section 23 effectively meaningless - equivalent to shutting the stable door well after the horse had bolted. To have any real effect, Section 23 must be construed as placing an obligation upon you sooner, rather than later, and certainly before the Government has made any commitment as to the future uses of the land.

In APPA's view, the "prescribed period" for your Section 23 report expired on 25 September 2010, exactly 18 months after the Health Minister made his Ministerial statement in 2009, thereby removing any doubt that the old RAH site might be still used as a hospital.

APPA has been waiting patiently, since 2010, for the report envisaged by Section 23 of the Act to be prepared. However the report has not materialised and now appears to be well overdue.

Expressions of interest sought by Renewal SA from proposed developers of the site have now closed. They were to be submitted to JLL by 1 September 2015.

Accordingly, in order to give Section 23 any real meaning, your report must not be delayed any longer. It must be completed as soon as possible and laid before both Houses of Parliament and provided to the Adelaide City Council as required by sub-section 23 (3) of the Act.

APPA urgently seeks your assurance that your section 23 report is imminent. APPA also seeks a copy of this report.

Whether or not your report is imminent, APPA is also seeking immediate access to all documents, prepared by your officers, in connection with the preparation of this required report.

Yours sincerely



Shane Sody
Secretary
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