



AN INQUIRY INTO

THE NORTH-SOUTH

CORRIDOR - TORRENS TO

DARLINGTON TUNNELS

FINAL REPORT

4th Report of the 55th Parliament

PUBLIC WORKS COMMITTEE

Tabled in the House of Assembly and ordered to be published, Tuesday 6 September 2022

First Session, Fifty-Fifth Parliament

PRESIDING MEMBER'S FOREWORD

The Torrens to Darlington (T2D) phase of the North-South Corridor is the most significant infrastructure project undertaken in South Australia. The tunnels and connectors aim to ease congestion, promote driver and passenger safety, and cater for the projected increased volumes of traffic along the route. Due to its lengthy timeline, drivers will not benefit from the T2D project until its conclusion in many years to come. However, residents, businesses and property owners in the affected suburbs have been impacted since the announcement of the project.

The Public Works Committee has a duty to examine South Australian infrastructure projects. The previous Committee of the 54th Parliament launched this Inquiry to evaluate the Department for Infrastructure and Transport's processes for effectiveness and consideration of community impact. As Presiding Member of the current Committee, I present this report containing 13 recommendations aimed at improving outcomes for people currently living and working in the affected areas.

The Inquiry focussed heavily on the compulsory acquisition process, examining evidence from people notified their properties would be required for the project or remain during the future roadworks. A key finding was that property owners in both circumstances feared financial disadvantage by being forced to purchase a replacement property during a housing price boom or being unable to sell a property for a fair price due to ongoing construction.

This report provides an opportunity for DIT to implement cultural change in their interactions with the public. The Committee consistently heard that DIT mismanaged communications. Residents often learnt about key project information from media reports rather than DIT and did not receive timely responses to their queries from DIT. This inflamed an already stressful situation. By any measure, DIT handled the consultation process poorly by withholding the Reference Design from public comment, leading the community to conclude that their voices were ignored. The recommendations are aimed at shifting DIT's focus to meaningful consultation and two-way engagement.

I urge the Minister to consider implementing the report's recommendations to financially assist people forced to uproot or stay behind, and to build goodwill with a community demonstrating resilience under challenging circumstances. Although the recommendations relate to the T2D project, they are also relevant to other DIT projects.

The Committee thanks the property owners, community groups, residents, DIT staff and Hon John Darley MLC for his valuable perspective as former Valuer-General of South Australia. My sincere thanks go to Dr Yengin from the University of Adelaide for meeting the Committee's staff, sharing her research findings and offering to meet State Government representatives in the future. I would also like to highlight the efforts of Jayne Stinson, MP for Badcoe, for independently surveying her electorate with the Inquiry's Terms of Reference and providing the data to the Committee.

I commend the past and present members of the Committee for their contributions. All members worked cooperatively on this report. I would also like to take this opportunity to thank the Committee staff for their assistance.



Mr Michael Brown MP
Presiding Member
Member for Florey
 5 September 2022

EXECUTIVE SUMMARY

On 4 November 2021, the Public Works Committee resolved to inquire and report into the impact of the Torrens to Darlington (T2D) phase of the larger North-South Corridor project aimed at addressing traffic congestion.

At an estimated \$9.9 billion, the T2D project is one of South Australia's most extensive and ambitious infrastructure projects in South Australia. At the time of the Inquiry, the T2D had not begun construction but preparatory utilities and service relocations were underway. The proposed Reference Design incorporated a combination of tunnels, lowered and ground-level motorways, as well as overpasses and underpasses at key intersections. The projection completion date was 2030.

The Inquiry Terms of Reference were publicly advertised on Saturday 13 November 2021, inviting written submissions from any person or organisation impacted by the works or processes. The deadline for submissions was Friday 26 November 2021.

The Inquiry received a total of 17 written submissions from property owners, community groups, local residents, academics and the South Australian Department for Infrastructure and Transport (DIT). One of these submissions included responses to a survey conducted in the electorate of Badcoe containing detailed community feedback. On 16 December 2021, the Committee held a public hearing at Old Parliament House with 15 witnesses appearing at a combined hearing for this Inquiry and another Inquiry on compulsory acquisitions and intersection works.

Witnesses and submitters provided evidence according to information available in November and December 2021. As such, this report represents a snapshot in time and makes 13 recommendations based on evidence gathered in November and December 2021.

The Committee heard that a total of 393 residential, commercial, industrial, local government, and State Government properties would be acquired for the T2D project. Property acquisition would be staged in accordance with the project's phases and a near decade long timeline. At the time of the Inquiry, property owners had only recently received notification that their premises were to be acquired for the project. The compulsory acquisitions process had not yet progressed to the valuation stage.

The Inquiry found DIT's handling of the T2D project promoted confusion, anxiety and doubt in the community, undermining trust between the public and the State Government.

Residents and business owners received no explanation of rationale used to determine properties required for compulsory acquisition. The Committee heard evidence of one or two homes left on streets or entire blocks, while the rest of the properties received notifications of acquisition. Some submissions questioned the reasoning behind keeping non-heritage listed properties such as the Telstra Exchange at the expense of character homes.

The Inquiry found that DIT mismanaged their communications. Public comments made by the then Minister of Infrastructure and Transport inflamed a community that was already distressed about learning key aspects of the project from the media before DIT. Residents described DIT drip-feeding them information and a vague process that lacked transparency. Witnesses and submitters signed up to distribution lists but never received emails, asked questions the assigned staff could not answer and did not receive responses in a timely fashion. Moreover, some residents considered that even the official title of the T2D project was misleading. The Committee heard evidence of property holders dismissing communications because they considered their properties out of scope since they were situated beyond the River Torrens. The Committee made recommendations to reform DIT's

communications processes, improve clarity and content of documentation, and to change the project's name to better reflect its geographic scope.

Property owners expressed anxiety over obtaining a fair price and showed great interest in the methodology that DIT would use to determine the market value of their properties. Concerns related to the likelihood that their compensation payments would be too low to purchase a 'like-for-like' property in the same area, given a boom in the property market and high competition arising from multiple households having their properties acquired at the same time. Residents feared negotiating from a weak position, needing to borrow more money and moving to neighbourhoods far from family, friends, schools and services. The T2D project's lengthy timeline had the potential to cause issues with accurate market value given that the period between receiving the first valuation and DIT acquiring the land could be years. The then Chief Executive Officer of DIT argued that the Department would work more flexibly with property owners and their timelines for vacating their properties but was unclear on specifics.

At the hearing, the Committee heard a former Valuer-General (Hon John Darley MLC) state that case law had determined that property owners could use neighbourhood sales both before and after a property's acquisition to determine market value. He and a researcher from the University of Adelaide recommended altering the *Land Acquisition Act 1969* to provide greater clarity on the issue. The Committee has recommended that DIT instigate amendments to the Act to clearly state that property sales before and after acquisition were valid for the purposes of determining market value. The Committee has recommended that DIT more clearly define the "*flexible*" approach it intended to take towards ensuring that owners of properties to be compulsorily acquired would not be disadvantaged by the T2D project's long timelines. In the hearing, Dr Yengin detailed her extensive research into compulsory acquisitions, provided her findings and invited government agencies to participate in her research for balanced perspective. The Committee considered this invitation offered benefit on both sides and recommended that DIT senior management meet with Dr Yengin to discuss potential improvements to the compulsory acquisitions process in South Australia.

Current laws provided for the State Government to cover the stamp duty for owners purchasing another property within 12 months of the acquisition. Although the T2D project had not reached the point of providing fees or financial assistance at the time of the Inquiry, the Committee heard evidence from Dr Yengin and residents that this timeframe was too short to consider competition arising from a shortage of available housing. As such, the Committee recommended extending the stamp duty provision from one year to two years. The timing of compensation could also leave property owners out-of-pocket. Unlike moving out of a house in normal circumstances, owners of compulsorily acquired properties struggled to raise house deposits or make major purchases because they could not access their compensation payment until after they had vacated their premises. This placed them in the unenviable position of paying for all the costs of moving and other administrative costs out of their own pocket.

The Inquiry found that reduced market value of the properties in the T2D areas that were excluded from the compulsory acquisition process was a major issue for property owners, primarily because they received no compensation under the *Land Acquisition Act 1969*. The Committee heard that these property owners would struggle to sell their homes for a fair price in areas impacted by major roadworks. Submitters were concerned that ugly sound walls, flyovers, lack of greening, noise and dust would reduce the market value of their homes. The Committee heard evidence that some property owners would have preferred DIT to acquire their homes rather than leave them behind with no financial recourse. To address this, the Committee recommended that DIT consider whether the T2D project could accommodate acquiring these properties, upon owners making cases to DIT.

The Reference Design was not released in time for the community to view before they made submissions to the Inquiry. DIT had only developed a motorway access diagram showing proposed plans and approximate locations of ramps, tunnels and the surface motorway. Submissions raised concerns about a proposed elevated roadway over the River Torrens, the length of the tunnels, and the Anzac Highway flyover. Some residents questioned why the proposal elected to build on the residential side of the River Torrens instead of the commercial side which contained more empty buildings.

The most controversial decision highlighted in the Inquiry was DIT's withholding of consultation on the full Reference Design until all the relevant property owners were notified first. Although DIT conducted an engagement and consultation program, it did not share any of the Reference Designs developed throughout the process with community groups or residents. One resident action group argued that DIT should have consulted on these options to determine whether the community who lived there considered them viable. Community members felt this showed great disrespect. Despite assurances from DIT and the Minister that its hand-picked Reference Groups would provide input into the Reference Design, the Reference Design was published in a newspaper before the Reference Groups saw it. DIT then informed them they would have no opportunity to provide input. The Committee heard evidence from the Community Reference Groups that, despite a significant period of engagement, DIT undertook no meaningful consultation on any aspect of the project. Witnesses and submitters considered the process tokenistic, presenting the Reference Design as essentially a *fait accompli*.

To address this, the Committee recommended that DIT develop a consultation process prioritising the community feedback that develops better, more well-informed Reference Designs. It also recommended DIT reform its community consultation processes and procedures to clearly inform the community which aspects they can influence, ensure knowledgeable staff can answer their questions, and interact with the public more efficiently. The Committee also believed the Community and Business Reference Groups could continue to provide valuable input throughout the life of the project and recommended that DIT consider reinstating them. At the hearing, the then CEO of DIT offered to meet with the resident groups and Reference Groups regarding the Reference Design. The Committee recommends the new CEO of DIT meets with these groups to foster goodwill, inform them about project developments and discuss ways to collaborate.

The Inquiry also evaluated the alignment and position of the tunnel exits and entrances, known as portals. These were proposed for Clovelly Park and Glandore for the Southern Tunnel and Hilton and Torrensville for the Northern Tunnel. The Committee heard that sites required a large open space close to the alignments which left DIT with limited choices. DIT investigated and dismissed eight options - including two that involved tunnelling beneath the River Torrens - because they did not meet the key project criteria. The Committee heard community objections to the portal location in the Thebarton/Torrensville area which would require the seizure of King's Reserve and impact on significant community assets.

The Committee heard that the T2D project had not progressed to the stage where properties had been provided with noise mitigation measures. However, evidence revealed those remaining in areas to be affected by roadworks anticipated issues. One resident estimated the sound levels would exceed the criteria in DIT's 'Road Traffic Noise Guidelines', which he criticised for not conforming to international standards. Some had experienced the Torrens to Torrens (T2T) roadworks around their homes in a previous phase of the North-South Corridor project and expressed concerns that the noise would be similarly disruptive. Other residents highlighted the current absence of sound barriers, soundproofing, double-glazing and vegetation barriers that would mitigate noise.

Neighbourhoods in the T2D area would also lose important points of community connection such as open spaces and clubs. As lessees, community clubs could be overlooked in the compulsory acquisitions process which involved first notifying property owners. For example, the Torrensville Bowling Club on King's Reserve leased land from the City of West Torrens. It had only recently refurbished the premises and would be forced to move since it was located on King's Reserve which would be required for the Northern Tunnel. The acquisition of the Black Forest Scout Hall was also raised as a significant loss to the community as it risked the existence of a group that had been running for nearly 50 years. The Committee heard the importance of King's Reserve and local ovals to the western suburbs which already lacked green spaces. DIT could also not reveal the number of trees to be removed as it had not completed full surveying of all land in the impacted areas. DIT informed the Committee about its imminent \$125 million City Shaping program that would consist of community-led initiatives that would include landscaping treatments and planting programs.

The Committee did not hear extensive evidence relating to cost pressures and assumptions. At the hearing, DIT stated that it had not completed a business case which could change the course of the project. Some residents assumed the project budget would need to increase. DIT assumed that the selected Reference Design at the time of the Inquiry would go to tender.

The community listed concerns about pedestrian and cycling access such as shared paths and difficulty crossing Anzac Highway. The Committee also heard community objections to a loss of heritage and suburban character, the impact of long or changing timelines and the difficulty they would ultimately face crossing the corridor at the conclusion of the project.

The Inquiry examined evidence from an uncertain community, fearful of leaving their neighbourhoods behind or staying to face decade-long disruptions to their lives from the imminent roadworks. All property owners feared for their financial futures. Some distrusted that compensation payments would be high enough to purchase a property that suited their needs. Others resented the lack of compensation as the value of their homes dropped, putting them in a position where the gap between the selling price on their home and a potential new home increased.

The Inquiry found that DIT exacerbated these stresses in their manner of public engagement. Implementing these report recommendations should help to build the positive working relationships between State Government and the community needed for such an extensive project.

RECOMMENDATIONS

Based on the evidence received during its Inquiry, the Public Works Committee recommends that the Minister for Infrastructure and Transport:

1. Considers changing the project's name to better reflect the geographic scope of property acquisitions and construction beyond the River Torrens.
2. Facilitates the following improvements to DIT's communications process:
 - making all content available to the public in hard copy;
 - sending project updates to the distribution list on a regular date (one month maximum);
 - inform affected owners and tenants about key developments before the media;
 - contact residents prior to surveying or conducting works on their premises; and
 - respond to all queries from the owners/tenants as a priority and within a pre-determined, consistent and fair turnaround time (e.g., three days).
3. Arranges for DIT to improve written documentation for owners concerning their legal rights, timeframes for key events and steps in the compulsory acquisition process.
4. Instigates amendments to the *Land Acquisition Act 1969* to clearly state that property sales before and after acquisition are valid for the purposes of determining market value.
5. Facilitates clarification of a flexible approach to compulsory acquisitions that ensures property owners are not disadvantaged by the project's long timeline, encompassing:
 - scope and time period of property valuations;
 - time permitted to live/work in the premises before the premises;
 - altering timing of Notice of Acquisition and triggering of the ownership process;
 - assisting with priority placement/assistance due to accommodation shortages;
 - flexible zoning and school placement; and
 - any other matter as appropriate.
6. Encourages DIT senior management to meet with Dr Yengin to improve the compulsory acquisitions process and inform her research.
7. Initiates consideration of extending stamp duty payment from one year to two years after the date of acquisition.
8. Encourages DIT to consider whether provisions can be made for owners of remaining properties to have their premises acquired if they would prefer this option.
9. Considers viability of granting property owners part payment of compensation to help them meet out-of-pocket expenses prior to vacating the premises.
10. Ensures DIT consults in a meaningful way by prioritising community feedback for well-informed Reference Designs.

11. Considers amending community consultation processes for future projects to:

- clearly inform the public from the outset which design elements can be influenced;
- ensure knowledgeable and authoritative project officers attend each information session and/or roadshow;
- provide adequate notice of information sessions and/or roadshow (e.g., as soon as possible from the venue booking) and avoid scheduling these on long weekends;
- establish fair and publicly stated timeframes for responding to public enquiries from each information session; and
- publish summaries of the impact of community feedback on the dedicated project website (one month maximum).

12. Arranges reinstatement of the Reference Groups to seek their input for future phases of the project, keeping the Business and Community groups separate to retain their unique voices.

13. Ensures the new Chief Executive Officer (CEO) of DIT honours the previous CEO's promise to meet with resident action groups and Community/Business Reference Groups (if reinstated).

TABLE OF CONTENTS

PRESIDING MEMBER’S FOREWORD	1
EXECUTIVE SUMMARY	2
RECOMMENDATIONS	6
TABLE OF CONTENTS	8
COMMITTEE MEMBERSHIP	9
FUNCTIONS OF THE COMMITTEE	10
TERMS OF REFERENCE	11
ABBREVIATIONS AND ACRONYMS.....	12
FIGURES AND TABLES	13
CONDUCT OF THE INQUIRY	14
1 BACKGROUND	15
1.1 NORTH-SOUTH CORRIDOR AND TORRENS TO DARLINGTON PROJECTS.....	15
2 DISCUSSION	30
2.1 PROCESS TO DETERMINE PROPERTIES TO BE ACQUIRED	30
2.2 COMMUNICATION OF INFORMATION.....	33
2.3 METHODOLOGY TO CALCULATE PROPERTY VALUATIONS	46
2.4 EFFECTIVENESS OF DIT’S FINANCIAL ASSISTANCE TO PERSONS IMPACTED BY ACQUISITIONS	54
2.5 REFERENCE DESIGN WORKS	59
2.6 CONSULTATION REGARDING DESIGN, WORKS, INTERRUPTIONS AND/OR ACQUISITIONS	68
2.7 ALIGNMENT AND POSITION OF PORTALS	77
2.8 PROVISION OF NOISE MITIGATION MEASURES	82
2.9 PROCUREMENT PROCESS FOR THE NORTH-SOUTH CORRIDOR TUNNELS.....	84
2.10 RELOCATION OF COMMUNITY ASSETS AND CLUBS	84
2.11 CONSIDERATION OF AUSTRALIAN STANDARDS FOR CARRYING DANGEROUS GOODS	87
2.12 COST PRESSURES AND COST ASSUMPTIONS INCLUDING PROCUREMENT AND TENDERS	88
2.13 IMPACTS ON PEDESTRIAN AND CYCLING ACCESS	89
2.14 ANY OTHER MATTER	90
APPENDIX A: LIST OF SUBMISSIONS.....	93
APPENDIX B: LIST OF WITNESSES	94
APPENDIX C: DIT ENGAGEMENT METHOD AND OUTCOMES FOR T2D.....	95

COMMITTEE MEMBERSHIP

Membership of the 20th Public Works Committee during the 54th Parliament was:

- Mr Sam Duluk MP (Presiding Member)
- Hon Anastasios [Tom] Koutsantonis MP
- Mr Steve Murray MP
- Mr Joe Szakacs MP
- Mr Tim Whetstone MP

Committee staff:

- Parliamentary Officer: Mr Phil Frensham
- Research Officer: Ms Stefania Giannopoulos and Dr Jo Hocking

Membership of the 21st Public Works Committee during the 55th Parliament was:

- Mr Michael Brown MP (Presiding Member)
- Ms Nadia Clancy MP
- Mrs Ashton Hurn MP
- Mrs Rhiannon Pearce MP
- Mr Vincent Tarzia MP

Committee staff:

- Parliamentary Officer: Ms Brooklyn Ley
- Research Officers: Dr Jo Hocking and Mr Hadi Slyman

FUNCTIONS OF THE COMMITTEE

The Public Works Committee (the Committee) is established pursuant to sections 12A, B and C of the *Parliamentary Committees Act 1991*, proclaimed February 1992.

Section 12C of the *Parliamentary Committees Act 1991* defines the functions of the Public Works Committee as:

- (a) to inquire into, consider and report on any public work referred to it by or under this Act, including –
 - (i) the stated purpose of the work;
 - (ii) the necessity or advisability of constructing it;
 - (iii) where the work purports to be of a revenue-producing character, the revenue that it might reasonably be expected to produce;
 - (iv) the present and prospective public value of the work;
 - (v) the recurrent or whole-of-life costs associated with the work, including costs arising out of financial arrangements;
 - (vi) the estimated net effect on the Consolidated Account or the funds of a statutory authority of the construction and proposed use of the work;
 - (vii) the efficiency and progress of construction of the work and the reasons for any expenditure beyond the estimated costs of its construction;
- (b) to perform such other functions as are imposed on the Committee under this or any other Act or by resolution of both Houses.

Further information about the Committee can be found on the Committee's website at: <http://www.parliament.sa.gov.au/en/Committees/Committees-Detail>.

TERMS OF REFERENCE

On 4 November 2021, the Public Works Committee resolved to inquire into the North South Corridor Tunnels. Specifically, the Committee resolved to inquire into:

1. The process used to determine properties along the North South Corridor to be acquired for the project.
2. Communication of information to residents, businesses and media regarding acquisitions, design, works and/or interruptions.
3. Methodology used to calculate valuations of properties or businesses for acquisition.
4. The effectiveness of financial assistance provided by the Department for Infrastructure and Transport (DIT) to persons impacted by acquisitions, particularly reimbursement of reasonable legal fees beyond the Supreme Court scale.
5. The Reference Design works conducted by the DIT.
6. The DIT's consultation with local residents, businesses and any other impacted persons or entities regarding design, works, interruptions and/or acquisitions.
7. The alignment and position of the portals into the proposed North South Corridor tunnels.
8. The provision of noise mitigation measures along the project.
9. The procurement process for the North South Corridor tunnels, focusing on local procurement.
10. The relocation of community assets and clubs as part of the project.
11. Consideration of the Australian Standards for carrying dangerous goods in relation to the design for the tunnels proposed for the North South Corridor.
12. All cost pressures and cost assumptions including procurement and tenders conducted by the DIT.
13. The impacts on pedestrian and cycling access along the project.
14. Any other relevant matter.

ABBREVIATIONS AND ACRONYMS

The Committee	The Public Works Committee
CASA	Civil Aviation Safety Authority
CBD	Central Business District
CEO	Chief Executive Officer
DIT	Department for Infrastructure and Transport
DPTI	Department of Planning, Transport and Infrastructure (previous name of DIT)
NOA	Notice of Acquisition
NOI	Notice of Intention to acquire land
OVG	Office of the Valuer-General
SACAT	South Australian Civil and Administrative Tribunal
SRIWAG	South Road Inner West Action Group
T2D	Torrens to Darlington
T2T	Torrens to Torrens

FIGURES AND TABLES

Figure	Page
<i>Figure 1 – Concept Design of the North-South Corridor Illustrating Position of Torrens to Darlington Section</i>	16
<i>Figure 2 – Map of the Torrens to Darlington Section</i>	19
<i>Figure 3 – Artist’s Impression of a T2D Tunnel</i>	22
<i>Figure 4 – Example of a Lowered Open Motorway</i>	23
<i>Figure 5 – Example of Surface Road</i>	24
<i>Figure 6 – Artist’s Impression of the Anzac Elevated Ramp – Pedestrian View</i>	25
<i>Figure 7 – Artist’s Impression of Project Urban Design.</i>	26
<i>Figure 8 – DIT Notifications of T2D Works Active at the Time of the Committee Inquiry</i>	35
<i>Figure 9 – Example of DIT Notification of Works on T2D Website</i>	36
<i>Figure 10 – Motorway Access Diagram Presented to Community During Engagement Process</i>	61
<i>Figure 11 - Themes of Comments about Design and Construction in DIT Community Survey Conducted in July 2021</i>	62
<i>Figure 12 – T2D Southern Tunnels Northern Portal</i>	80

Table	Page
<i>Table 1 – Torrens to Darlington Reference Design Key Elements</i>	18
<i>Table 2 – Torrens to Darlington Project Timeline</i>	27
<i>Table 3 – Southern Tunnel Reference Groups</i>	73
<i>Table 4 – Northern Tunnel Reference Groups</i>	74

CONDUCT OF THE INQUIRY

The Inquiry examined the Torrens to Darlington (T2D) part of the North-South Corridor project and its impact on the local community.

The Terms of Reference were publicly advertised on Saturday 13 November 2021, inviting written submissions from any person or organisation impacted by these works or processes. The deadline for submissions was Friday 26 November 2021.

The Inquiry received a total of 17 submissions. None were considered confidential and all were published to the Committee's website.

One submission consisted of a spreadsheet of collated response to survey conducted independently by the member for Badcoe. Fifth-nine responses were received to ten questions based on Inquiry's terms of reference. Responses were recorded in this report in the following format: [Author, *Submission 13*, Row No.].

Submission 17 consists of a submission outlining the general process for compulsory acquisitions in South Australia, as submitted by DIT for use with this Inquiry and another Inquiry on intersection works and compulsory acquisitions.¹ The list of submissions is attached at **Appendix A**.

The Committee held a public hearing on 16 December 2021. Fifteen witnesses appeared including a former Valuer-General, representatives from DIT, an academic from the University of Adelaide, residents, businesses and the members from community groups. The full list of witnesses in attendance is attached at **Appendix B**.²

This Inquiry was conducted during a transitional period in South Australian politics. A State election was held in March 2022, resulting in a change of government. The senior Department for Infrastructure and Transport (DIT) representatives who provided evidence at the Committee hearing, the Minister for Infrastructure and Transport, and the Committee members themselves transitioned into new roles in the 55th Parliament.

In 2022, the T2D project continued under the new government. However, this report can only make recommendations based on evidence received at the time of the Inquiry and relating to its terms of reference as per the 54th Parliament. As such, it is considered a snapshot of the evidence provided in November and December 2021. Supporting documentation was obtained from the DIT website and online sources verified during the 55th Parliament.

¹ Both Inquiries shared the same public hearing. Submission 17 is the same as Submission 37 in the Intersection Works and Compulsory Acquisitions Inquiry.

² Not all witnesses spoke in relation to the T2D project but all are listed as per the Committee Hansard for the hearing.

1 BACKGROUND

This section provides background information to the North-South Corridor and Torrens to Darlington projects, and the compulsory acquisition process.

1.1 North-South Corridor and Torrens to Darlington Projects

1.1.1 Background

Infrastructure Australia estimates daily car trips across Adelaide to increase from 5 million to 6.2 million by 2031, representing an increase of 26 per cent. DIT considers that the current roadway would not be able to handle the projected increased volume of vehicles, including freight carriers. By 2031, increased congestion was estimated to would cost the South Australian economy more than \$230 million every year.³

The South Australian Government embarked on the North-South Corridor project to address these potential issues. The Department for Infrastructure and Transport (DIT) describes it as “*the most significant infrastructure project ever undertaken in South Australia*”.⁴

Once completed, the North-South Corridor will be the major route for north and southbound traffic running between Gawler and Old Noarlunga for a non-stop distance of 78 kilometres.⁵

Sections of the North-South Corridor have already been contracted and funded:

- Southern Expressway (\$407 million);
- Darlington Upgrade (\$620 million);
- Gallipoli Underpass (\$118 million);
- Torrens Road to River Torrens (\$896 million);
- Regency Road to Pym Street (\$354 million);
- South Road Superway (\$842 million);
- Northern Connector (\$867 million), and
- Northern Expressway (\$564 million).⁶

This Inquiry focussed on the final 10.5 kilometres of the North-South Corridor to be completed - the Torrens to Darlington section. However, at the time, the project was in its early stages without formal Committee approval.

DIT conducted a smaller project to relocate utility services “in advance of seeking the Committee’s approval of the overall Torrens to Darlington Project”.⁷ This smaller project was necessary to “meet

³ Department for Infrastructure and Transport (DIT), *About the Project*, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022).

⁴ DIT, *T2D: Torrens to Darlington*, https://dit.sa.gov.au/nsc/torrens_to_darlington (accessed 19 May 2022).

⁵ DIT, *Adelaide’s North-South Corridor*, <https://dit.sa.gov.au/infrastructure/nsc> (accessed 19 May 2022).

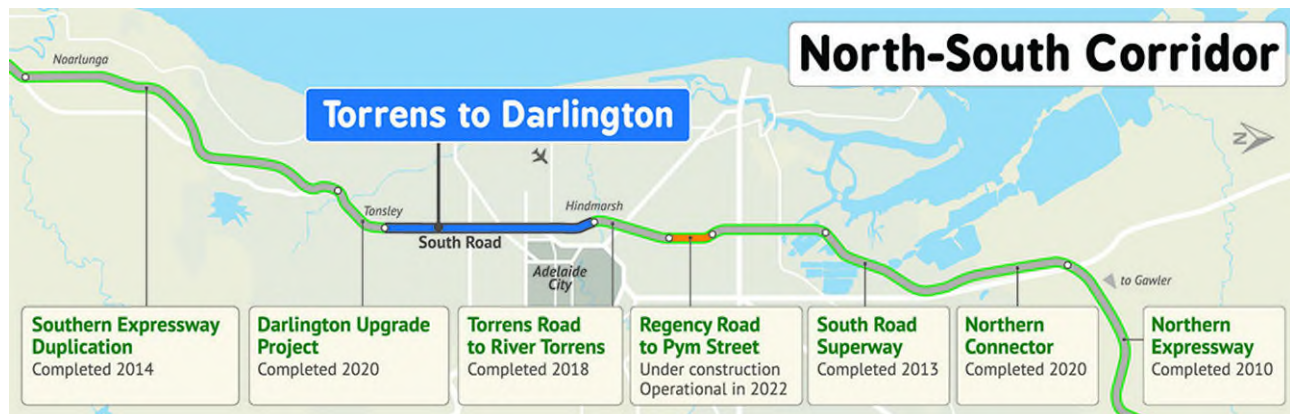
⁶ DIT, *Adelaide’s North-South Corridor*, <https://dit.sa.gov.au/infrastructure/nsc> (accessed 19 May 2022).

⁷ DIT, *Final Report: North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations Project*, 149th Report of the 54th Parliament, Public Works Committee, tabled 10 June 2021, p. 7.

the Torrens to Darlington Project schedule and ensure delivery risks are managed for the main construction activities (scheduled to commence in 2023)".⁸

The figure below illustrates the position of the Torrens to Darlington section within the North-South Corridor.

Figure 1 - Concept Design of the North-South Corridor Illustrating Position of Torrens to Darlington Section



Source: City of Marion, North South Corridor (Torrens to Darlington), <https://www.marion.sa.gov.au/about-council/major-projects/north-south-corridor-torrens-to-darlington> (accessed 26 June 2022).

Over 120,000 vehicles travel on South Road, Marion Road and Goodwood Road every day. The crash rate along this section of South Road is 11 times higher than the Northern Expressway and seven times higher than the Southern Expressway. South Road currently experiences traffic volumes at or close to capacity during the day on weekdays and the middle of the day on weekends, with six out of eight key intersections almost at capacity. Travel time variability is up to six times worse than the Adelaide average during the height of the peak period.⁹

The Torrens to Darlington section is estimated to cost \$9.9 billion. The Federal and South Australian governments have committed a total of \$5.422 billion. The South Australian government confirmed its commitment to fund the Torrens to Darlington (T2D) project in its entirety based on the Federal Government contributing 50 per cent of the project's total funding, including the total remaining above the \$5.422 billion.¹⁰

The T2D project will use approximately twice the amount of steel used to construct the Sydney Harbour Bridge and more than twice the amount of concrete used to build the world's tallest building, the Burj Khalifa in Dubai.¹¹

⁸ DIT, *Final Report: North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations Project*, 149th Report of the 54th Parliament, Public Works Committee, tabled 10 June 2021, p. 6.

⁹ DIT, *About the Project*, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022).

¹⁰ DIT, *Final Report: North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations Project*, 149th Report of the 54th Parliament, Public Works Committee, tabled 10 June 2021, p. 6.

¹¹ DIT, *Construction Sector Industry Briefing 2021*, Media Release, 3 September 2021, https://dit.sa.gov.au/nsc/torrens_to_darlington/news?a=897102 (accessed 23 May 2022).

The project will be delivered in two stages. Stage One incorporates construction of the section from Darlington to Anzac Highway, maximising the network and overall project benefits that can be delivered within the current funding allocation of \$5.422 billion. This stage also enables construction without significant impact to traffic on South Road for most of the program and minimises construction impact on residents and businesses. Stage Two will connect Anzac Highway to the already upgraded motorway section north of the River Torrens.¹²

The primary objectives of the Torrens to Darlington project are:

- to be a primary contributor to the economic development of Adelaide and the State through improving productivity and accessibility for small and large freight vehicle movements supporting local and regional businesses;
- improving the efficiency and reliability of all modes of travel north-south and east-west;
- improved connectivity to the northern and southern suburbs to facilitate jobs growth in those regions;
- to create connected communities that lead to improved land use opportunities;
- optimise the capacity and connectivity of the North-South Corridor infrastructure to better support the needs of the community;
- to increase public transport patronage;
- to improve road safety.¹³

Its projected benefits include:

- supporting up to 4,900 new jobs during construction and creating 7,700 jobs by stimulating retail and commercial opportunities in the inner western and southern suburbs;
- reducing traffic congestion by routing 130,000 weekday vehicle movements into tunnels;
- improving travel times by approximately 20 minutes to deliver a nine-minute journey between the River Torrens and Darlington;
- providing better access to and from key freight areas;
- preserving sites of cultural importance; and
- creating urban renewal opportunities for local businesses and residents through new and upgraded walking and cycling paths, green spaces and recreational areas.¹⁴

¹² DIT, *Final Report: North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations Project*, 149th Report of the 54th Parliament, Public Works Committee, tabled 10 June 2021, pp. 6-7.

¹³ DIT, *About the Project*, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022).

¹⁴ DIT, *About the Project*, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022).

1.1.2 Torrens to Darlington Reference Design

Overview

The design uses a combination of tunnels, lowered and ground-level motorways, as well as overpasses and underpasses at key intersections to bypass 21 sets of traffic lights between the River Torrens and Darlington.

The project's Reference Design incorporates four main elements.

Table 1 – Torrens to Darlington Reference Design Key Elements	
Torrens Connector	Joins the Northern Tunnel to the completed Torrens Road to River Torrens Project. Crosses the River Torrens with an elevated 1.2km of northbound road.
Northern Tunnel	Consists of 2.2km of twin three-lane tunnels between Sir Donald Bradman Drive and Torrensville.
Tunnel Connector	Covers approximately 2.1km. Links the Southern and Northern tunnels via an open motorway. Connects to key routes such as Anzac Highway and Richmond Road. Will provide critical east-west connectivity and links to key destinations such as the CBD and airport.
Southern Tunnel	Joins the Darlington Upgrade Project to Anzac Highway. Includes approximately 6km of motorway including 4.8km of twin three-lane tunnels, and a new elevated ramp connecting the motorway to Anzac Highway.

Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022).

The four key elements of the design are incorporated in the map below (Figure 2).

Figure 2. Map of the Torrens to Darlington Section



Source: DIT, T2D: Torrens to Darlington [reference map], <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=2> (accessed 19 May 2022).

The Torrens Connector component consists of:

- one southbound entry ramp to allow Grand Road traffic access to the motorway;
- a northbound exit ramp for traffic exiting Grand Road;
- a new South Road surface road across the lower motorway to connect with the existing South Road;
- a new bridge structure elevated northbound South Road;
- a new bridge over the River Torrens;
- a new access road to the Brickworks Marketplace loading area;
- noise walls;
- urban design and landscaping; and
- intelligent transport system infrastructure for motorway control.

The Northern Tunnel component consists of:

- twin three-lane tunnels, approximately 2.2km long;
- signalised intersection upgrade at Ashwin Parade, West Thebarton Road and South Road to cater for future demand which incorporates a realignment at Ashwin Parade and a bridge structure across the lower motorway to connect with the existing South Road;
- a new South Road surface road across the lower motorway to connect with the existing South Road;
- tunnel ventilation facilities and outlets, tunnel safety and control systems;
- noise walls;
- urban design and landscaping; and
- intelligent transport system infrastructure for motorway control.

The Tunnel Connector component consists of:

- two southbound exit ramps located north and south of Richmond Road for airport and CBD access;
- two northbound entry ramps north and south of Richmond Road to allow access for airport traffic from Richmond Road;
- a Richmond Road and South Road intersection upgrade to cater for future demand which incorporates partial widening of Richmond Road and a bridge structure off Richmond Road across the lower motorway;
- new bridges over Brownhill Creek and Keswick Creek;
- a new South Road surface road and a bridge structure across the lower motorway connecting to the existing South Road and James Congdon Drive;
- intelligent transport system infrastructure for motorway control;
- new noise walls along the open motorway section; and
- urban design and landscaping.

The Southern Tunnel component consists of:

- two three-lane tunnels, approximately 4.8km in length;
- one northbound exit ramp for the Adelaide CBD and airport access, and two southbound exit ramps north and south of the tunnel for outer ring route and Darlington access;
- one southbound entry ramp for CBD motorists and two northbound entry ramps north and south of the tunnel to provide freight traffic access from Cross Road;
- a right turn overpass from South Road to Anzac Highway for CBD connectivity;
- modification to the Gallipoli Underpass to allow for motorway layout;
- a new South Road surface road on the western side of the open motorway with a bridge across the lower motorway connecting to the existing South Road;

- new noise walls along the open motorway section;
- urban design and landscaping;
- tunnel ventilation facilities, outlets, safety and control systems;
- intelligent transport system infrastructure for motorway control; and
- a new motorway control centre.

Tunnel Infrastructure

The tunnels will include three traffic lanes and standard road elements such as signage, barriers, drainage and lighting. Other inclusions will be ventilation systems, emergency egress, fire safety equipment and access points for utilities.

The Southern Tunnel will reach a maximum depth of approximately 50m below the surface, while the Northern Tunnel will reach approximately 30m.

Each tunnel will have a projected external diameter of about 15m – approximately the height of a four-storey building.

Figure 3 - Artist's Impression of a T2D Tunnel



Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

The Reference Design refers to the exits and entrances of the tunnels as portals. They will be located at Clovelly Park and Glandore for the Southern Tunnel and Hilton and Torrensville for the Northern Tunnel.

Open Motorway and Surface Roads

Like the previous Torrens to Torrens Project, parts of the open motorway connecting the tunnels will be lowered between 8-10 metres below the surface. The open motorway will have three lanes in each direction, as shown in the figure below.

Figure 4 - Example of Lowered Open Motorway



Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

South Road will be retained at the surface along the length of the motorway with two lanes in each direction, retaining the current 60km/h speed limit.

Figure 5 - Example of Surface Road



Source: DIT, *About the Project*, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

Elevated Structures

These structures are used to grade separate traffic along sections of the motorway by placing traffic at different levels to negate the use of traffic lights. This results in fewer delays.

The Torrens to Darlington project will construct three elevated structures:

- Anzac Elevated Ramp – connection from the motorway to Anzac Highway
- Elevated South Road – northbound South Road north of Ashwin Parade (near the Brickworks); and
- Elevated exit ramp – from the motorway southbound towards Cross Road.

Figure 6 - Artist's Impression of the Anzac Elevated Ramp – Pedestrian View



Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

Noise walls

Noise walls will be required to minimise impacts to nearby properties. Their locations will be finalised based on extensive noise modelling for the project and designed in line with the project's urban design requirements developed specifically for the T2D.¹⁵

Urban design

The project corridor will include urban design treatments consistent with the project's urban design strategy. This will consist of hard and soft landscaping, architectural treatments to structures, tunnel portals and ventilation structures, noise walls, retaining walls and road infrastructure.¹⁶

¹⁵ DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

¹⁶ DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

Figure 7 - Artist's Impression of Project Urban Design



Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 20 May 2022).

1.1.3 Project Timeline

The Torrens to Darlington design is the culmination of a lengthy process of research and planning to alleviate congestion along South Road.

Table 2 - Torrens to Darlington Project Timeline	
Year	Milestones
2010-2014	Early planning studies to solve South Road congestion issues.
2012	North Study identified and assessed options between Regency Road and Anzac Highway.
2014	South Study identified and assessed options between Anzac Highway and Darlington.
2017	Planning summary report identified 'Open Motorway' as preferred solution. Long tunnel options discarded due to cost and inability to connect to key destinations.
2018	Tunnels reconsidered due to advancements in technology and revised project objectives.
2019	New options assessed with wide range of tunnel options. Two preferred design options emerged: <ul style="list-style-type: none"> - Open Motorway with sections of elevated motorway, lowered motorway and short tunnels, with three lanes in each direction. - Hybrid solution comprising two tunnels with three lanes in each direction at the northern and southern extents with lowered motorway sections connecting the two tunnels.
2020	Preferred options developed and assessed against project objectives. Hybrid solution recommended due to lower community impacts, improved economic benefits and future land use opportunities.

	<p>Hybrid solution further refined to reduce property acquisition requirements and impacts to culturally important sites.</p> <p>Phase 1 ground investigations started – 5,000 tests conducted and 150 boreholes dug.</p>
2021	<p>Establishment of community and business reference groups.</p> <p>Phase 2 ground investigations started.</p> <p>Extensive interviews conducted.</p> <p>Community engagement roadshow, survey and release of feedback report.</p> <p>Utility service relocations for the Southern Tunnel.</p> <p>Hybrid solution developed into the T2D Reference Design and released to the public.</p>
2022 (projected)	<p>Release Project Assessment Report and invite community feedback.</p> <p>Tender released for first major construction package.</p> <p>Start laydown area preparation and construction of Southern Tunnel substation to power boring machine.</p>
2023 (projected)	<p>Start Southern Tunnel construction.</p>
2024 – 2027 (projected)	<p>Start utility service relocations for Northern Tunnel.</p> <p>Start site preparation work.</p> <p>Start Northern Tunnel construction.</p>
2029 (projected)	<p>Complete Southern Tunnel construction</p> <p>Southern Tunnel open to traffic.</p>
2030 (projected)	<p>Complete Northern Tunnel construction</p> <p>Northern Tunnel open to traffic.</p>

Source: DIT, About the Project, <https://storymaps.arcgis.com/collections/e0c94d6f449742af949ca6c04a33625f?item=1> (accessed 19 May 2022). Note – the project timeline may have altered at the time of tabling this report.

At the time of the Inquiry, the Torrens to Darlington's physical project works focussed on relocating utility services impacted by the later stages of the tunnels project. According to DIT's December 2021 quarterly report lodged with the Committee, works completed to date were:

- Procurement of long lead time items for APA gas relocations
- Relocation works for Optus in Clovelly Park
- Commencement of relocation of 11kV/LV SA Power Networks assets at Clovelly Park
- SA Water – modelling and relocation concept proposals for 700mm water main, reticulation networks and wastewater.¹⁷

Works identified as ongoing and upcoming were:

- Offer letters for Stage 1 Substation
- Design of gas mains for APA Group
- Telecommunications relocation proposals
- Preparation of mobile phone tower redevelopment applications.¹⁸

¹⁷ DIT, *North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations, Quarterly Report* [1 October 2021-31 December 2021], p. 2.

¹⁸ DIT, *North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations, Quarterly Report* [1 October 2021-31 December 2021], p. 2.

2 DISCUSSION

This section discusses the terms of reference compulsory acquisition of properties for the intersection upgrades and the major issues associated with the projects.

2.1 Process to Determine Properties to be Acquired

All land acquisition was undertaken in accordance with the South Australian *Land Acquisition Act 1969*.¹⁹ Under this Act, the Department for Infrastructure and Transport (DIT) can acquire land and has the right to “*place any easement, right of way or other license on the land, whether an owner agrees or not*”.²⁰

1.2.1 Notice of Intention to Acquire Land

According to Mr Tony Braxton-Smith, the former Chief Executive Officer of DIT, the properties for compulsory acquisition are determined before the process begins.²¹

First, DIT sends an introductory letter explaining the process of compulsory acquisition to potentially affected landowners and tenants on the basis that design and land requirements have not yet been finalised.²²

If the process goes ahead, DIT must serve a ‘Notice of Intention’ (NOI) to acquire the land which marks the beginning of the process below:

- Within fourteen days of receiving the notice, the owner must notify DIT of any other person who has an interest in the land and the nature of that interest. A person who fails to do so may be guilty of an offence.
- Within 30 days of receiving the notice, the owner can ask DIT for reasons for the proposed acquisition which must be provided.
- Within 30 days of receiving either the notice of intention to acquire land or the reasons for the proposal, the owner may object by serving written notice on DIT requesting:
 - that the acquisition does not proceed;
 - an alteration to the boundaries of the land; and
 - that any part of the land is not acquired or that further land be acquired.
- Within 14 days of receiving a request, DIT must consider the matter and serve a written notice on the owner indicating whether it agrees with the request. If it disagrees, the owner can apply to the South Australian Civil and Administrative Tribunal (SACAT) for a review of the decision. Such an application must be made within seven days and SACAT must complete the appeal proceedings within 21 days.²³

¹⁹ *South Australian Land Acquisition Act 1969*
<https://www.legislation.sa.gov.au/lz/c/a/land%20acquisition%20act%201969.aspx> (accessed 20 May 2022).

²⁰ Legal Services Commission of South Australia, *Compulsory Acquisition of Land*,
<https://lawhandbook.sa.gov.au/ch28s02s10.php> (accessed 2 November 2021).

²¹ *Committee Hansard*, 16 December 2021, p. 18.

²² *Submission 17*, p. 1.

²³ Legal Services Commission of South Australia, *Notice of Intention to Acquire Land*,
<https://lawhandbook.sa.gov.au/ch28s02s10s01.php> (accessed 2 November 2021).

If DIT intends to acquire land, it must wait a minimum of three months after last serving a notice before it can proceed further.

If DIT decides not to proceed with the acquisition or after 18 months or any other fixed period after serving an NOI lapses, compensation can be claimed in writing within six months.²⁴

1.2.2 Notice of Acquisition

Under the Highways Act 1926, the Commissioner of Highways can acquire land for roadwork projects once the Minister for Transport has approved the acquisition. After this approval, DIT formally advises all owners that their properties are to be compulsorily acquired. It provides all parties impacted with a 10-step outline of the process.²⁵

A Notice of Acquisition is the “*formal instrument where we serve notice ... that your property is now acquired*”.²⁶ The notice must be published in the Government Gazette. At this point, the “*portion of land ... then vests in the Commissioner of Highways’ name*.”²⁷ Agreement with the landowner is not required for DIT to take possession of the title.²⁸

Copies of the notice must be served on anybody with an interest in the land, on the Registrar at the Lands Titles Office and in a newspaper.²⁹ Impacted parties are notified in writing with correspondence sent to any legal representatives.³⁰

1.2.3 Properties for Acquisition in the Torrens to Darlington Project

At the hearing, DIT representatives told the Committee that a total of 393 residential, commercial, industrial local government, and State Government properties would be acquired for the T2D project.³¹ Acquisitions would be staged over time in accordance with the project’s phases.³²

At first, early notifications were sent to registered property owners advising of future land acquisition requirements. The property acquisition process for the Southern Laydown Area of the Torrens to Darlington (T2D) project commenced in June 2021 with letters sent to registered property owners impacted by land acquisition. Land in this area needed to be available in late 2022 to meet the project schedule.³³

In late September 2021, letters were sent to property holders identified as impacted by land acquisition in Glandore for the Southern Tunnel Northern Portal. In November 2021, letters were sent to residents identified as directly impacted by land acquisition for Stage 2 of the T2D Project

²⁴ Legal Services Commission of South Australia, *Notice of Acquisition*, <https://lawhandbook.sa.gov.au/ch28s02s10s02.php> (accessed 2 November 2021).

²⁵ DIT, *Submission 38*, p. 1.

²⁶ Mr Tony Braxton-Smith, CEO, DIT, *Committee Hansard*, 16 December 2021, p. 18.

²⁷ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2022, p. 22; Mr Steve McQuillan, Director, Property, Across Government Service, DIT, *Committee Hansard*, 16 December 2021, p. 19.

²⁸ Mr McQuillan, *Committee Hansard*, 16 December 2021, p. 19.

²⁹ Legal Services Commission of South Australia, *Notice of Acquisition*, <https://lawhandbook.sa.gov.au/ch28s02s10s02.php> (accessed 2 November 2021).

³⁰ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2022, p. 22.

³¹ Mr Braxton-Smith; Ms Susana Fueyo; Executive Director, North-South Corridor Project, DIT; *Committee Hansard*, 16 December 2021, p. 18.

³² Mr Braxton-Smith; *Committee Hansard*, 16 December 2021, p. 18.

³³ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2022, pp. 15-16.

(north of Anzac Highway). The formal property acquisition process “*is not required to commence until mid-to-late 2022*” with the land required by 2024.³⁴

At the time of conducting the Inquiry in November and December 2021, submitters had only recently begun receiving notifications. Thus, the acquisitions process was at an early stage but advanced enough for residents to experience frustration and confusion:

- Mr Jason Sandercock and Ms Nesha Sathurayar queried why their rental property was the only property not acquired on their block.

It is still baffling to us that the planners would leave one small house on the entire block due for demolition and not consider the implications for the owners. All the other residents surrounding our house have access to dedicated case workers to work through the process, as well as compensation for engaging valuers and lawyers if needed. ... it makes no sense to leave the one small house on a very large block that will be demolished.”³⁵

- Mary-Ann and Stephen from the electorate of Badcoe stated in their survey response that there was no information provided about the process to determine the acquisition of properties along the North-South Corridor. They were mystified why their property and two brand-new units were to be acquired while two properties directly opposite were to stay.³⁶
- Catherine from the electorate of Badcoe questioned why the government didn’t buy properties when they came on the market up to two years ago. She stated this would have avoided stress for families now in the position of having homes compulsorily acquired.³⁷
- After their discussions with property owners, the South Road Inner West Action Group (SRIWAG) argued that the process of determining properties for acquisition was inconsistent.³⁸ They reported that some residents were shocked to receive notifications because their properties fell outside the defined T2D project scope.³⁹
- Mr Peter and Mrs Leanne Gordon of Glandore claimed that DIT avoided showing plans detailing the full extent of the acquisitions and questioned the Committee:
 - about DIT’s process for determining properties for acquisition;
 - why acquisitions were mainly on the west side of South Road; and
 - regarding the rationale behind retaining non-heritage listed properties such as the Telstra Exchange that came at the cost of other properties.

The Gordons questioned the rationale behind commencing the land acquisition process prior to completing a Reference Design. DIT’s representatives visited their property on two occasions and

³⁴ Parties with other interests such as residential and commercial tenants are subsequently identified and contacted. Tenants had only been consulted for the Stages 1a and 1b (Southern Laydown Area and Southern Tunnel Northern Portal) by the time Mr Braxton-Smith provided a response (*Response to Questions on Notice*, 21 January 2022, pp. 16-17).

³⁵ Mr Jason Sandercock and Ms Nesha Sathurayar, *Submission 3*, p. 1. See also Nesha, *Submission 13*, Row 4.

³⁶ Mary-Ann and Stephen, *Submission 13*, Row 30.

³⁷ Catherine, *Submission 13*, Row 55.

³⁸ Mr Gregg Ryan and Ms Catherine Cashen, *Submission 12*, p. 2.

³⁹ *Submission 12*, p. 2.

could not provide “*meaningful reasoning*” why their home was to be demolished other than “*for some landscaping*”.⁴⁰

- Mr Peter Andresakis’ family home of 25 years in West Hindmarsh was identified for compulsory acquisition. In his submission, he described DIT’s inability to explain the reasoning behind the decision:

This was totally unexpected as we assumed the design would follow the current sound wall when the Pym street [sic] to Torrens phase was completed. ... On Saturday 06 November, my wife and our five children met with representatives from the Transport Department at Milner Street Hindmarsh to gather information on the reference design and more importantly as to why our property was required for the project. The representatives from the Department were unable to enlighten our family on why our home was required for the project as our property backs the River Torrens and a long distance from South Road.⁴¹

2.2 Communication of Information

During a dedicated engagement period of June and July 2021, DIT communicated information about the T2D project to the local community via various communication channels with the following outcomes:

- Project webpage providing overview including fact sheets, location details and links to the high-level access diagram;
- Email notifications to 4,000 subscribers with 811 new subscribers signing up;
- Letterbox drop of flyers to 1,449 properties along the corridor to promote the survey and engagement campaign;
- Two Facebook posts (16 June 2021 and 6 July 2021) to raise awareness of the project, invite people to complete the survey and encourage people to view the website (reached 48,000 Facebook users with 1,085 clicks through to the website);
- Advertiser advertisement on 3 July 2021 to encourage people from the broader community to complete the survey and view the website; and
- Phone and email enquiries answered at a contact centre (217 phone calls and emails).⁴²

Other communication initiatives included:

- In September 2021, Ms Susana Fuego, Executive Director North-South Corridor Project, spoke to approximately 900 attendees at DIT’s annual Construction Sector Industry Briefing. She addressed delegates about the T2D project phases, opportunities and the tender release for the first major construction package in 2022.⁴³

⁴⁰ Mr Peter and Mrs Leanne Gordon, *Submission 9*, pp. 1-2, 3, 4.

⁴¹ Peter Andresakis, *Submission 4*, p. 1.

⁴² DIT, T2D: Community Engagement Report, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 9 (see also Appendix C).

⁴³ DIT, *Construction Sector Industry Briefing 2021*, Media Release, 3 September 2021, https://dit.sa.gov.au/nsc/torrens_to_darlington/news?a=897102 (accessed 23 May 2022).

- In November 2021, interactive information displays and information kiosks at shopping centres, community centres and council libraries across metropolitan Adelaide. DIT staff were available to “*answer questions about the project*”.⁴⁴
- In December 2021, community drop-in sessions for the public to view the Reference Design.⁴⁵

Community members were informed about works in their area by subscription emails or updates to the ‘Current Works’ section of the T2D website.⁴⁶ An archive page allows access to all past notifications of works active at the time of the Inquiry. During this period, works related to the utilities relocation project.

⁴⁴ DIT, *Interactive Information Displays*, https://dit.sa.gov.au/_data/assets/pdf_file/0005/961808/T2D_Public_Exhibition_-_November_2021.pdf (accessed 23 May 2022).

⁴⁵ DIT, *Interactive Information Displays*, https://dit.sa.gov.au/_data/assets/pdf_file/0005/961808/T2D_Public_Exhibition_-_November_2021.pdf (accessed 23 May 2022).

⁴⁶ DIT, *Have a Safe and Enjoyable Holiday Season*, https://dit.sa.gov.au/_data/assets/pdf_file/0009/1025838/Were_extending_our_feedback_period_to_mid-January_2022_-_December_2021.pdf (accessed 23 May 2022); DIT, *Current Works and Notifications*, https://dit.sa.gov.au/nsc/torrens_to_darlington/works/current_works (accessed 23 May 2022).

Figure 8 - DIT Notifications of T2D Works Active at the Time of the Committee Inquiry

- [Ground Investigations works, Kegworth Reserve, Melrose Park, December 2021](#)
- [Ground Investigations works, Railway Terrace, Edwardstown, December 2021](#)
- [Ground Investigations works, Pearson Street, Clarence Gardens, December 2021](#)
- [Ground Investigations works, Castle Street, Edwardstown, December 2021](#)
- [Ground Investigations works, Margaret Street, Glandore, December 2021](#)
- [Ground Investigations works, Janet Street, Clovelly Park, December 2021](#)
- [Ground Investigations works, Manfull Street, Melrose Park, December 2021](#)
- [Ground Investigations works, Rozelle Avenue, Melrose Park, December 2021](#)
- [Ground Investigations works, Railway Terrace, Edwardstown, November 2021](#)
- [Ground Investigations works, Pearson Street, Clarence Gardens, November 2021](#)
- [Ground Investigations works, Castle Street, Edwardstown, November 2021](#)
- [Ground Investigations works, Margaret Street, Glandore, November 2021](#)
- [Ground Investigations works, Janet Street, Clovelly Park, November 2021](#)
- [Ground Investigations works, Manfull Street, Melrose Park, November 2021](#)
- [Ground Investigations works, Rozelle Avenue, Melrose Park, November 2021](#)
- [Ground Investigations works, Kegworth Reserve, Melrose Park, November 2021](#)
- [Ground Investigations works, Gladys Street, Clarence Gardens, November 2021](#)
- [Ground Investigations works, Norman Street, Black Forest, October 2021](#)
- [Ground Investigations works, Castle Street, Edwardstown, October 2021](#)
- [Ground Investigations works, Aroha Terrace, Black Forest, October 2021](#)
- [Ground Investigations works, 601 South Road, Glandore, October 2021](#)
- [Ground Investigations works, Pearson Street, Clarence Gardens, October 2021](#)
- [Ground Investigations works, adjacent 1268 South Road, Clovelly Park, October 2021](#)
- [Ground Investigations works, Bedford Medical Clinic, Clovelly Park, October 2021](#)
- [Ground Investigations works, Grosvenor Street, Glandore, October 2021](#)
- [Ground Investigations works, Maude Street, Glandore, October 2021](#)
- [Ground Investigations works, adjacent Tonsley precinct, Tonsley, October 2021](#)
- [Ground Investigations works, Princes Parade, Clovelly Park, October 2021](#)
- [Ground Investigations works, 1210 South Road, Clovelly Park, October 2021](#)
- [Ground Investigations works, 1282 South Road, Clovelly Park, October 2021](#)
- [Ground Investigations works, Forest Street, Glandore, October 2021](#)
- [Ground Investigations works, Marion Street Reserve, Glandore, October 2021](#)
- [Ground Investigations works, Gertrude Street, Glandore, October 2021](#)
- [Ground Investigations works, St Marys Fire Station, St Marys, October 2021](#)
- [Ground Investigations works, adjacent 1257 South Road, St Marys, October 2021](#)
- [Ground Investigations works, Messines Avenue, Edwardstown, October 2021](#)
- [Ground Investigations works, 1249 South Road, St Marys, October 2021](#)
- [Ground Investigations works, Railway Terrace, Edwardstown, October 2021](#)
- [Ground Investigations works, Princes Parade, Clovelly Park, October 2021](#)

Source: DIT, Past Notifications, https://dit.sa.gov.au/nsc/torrens_to_darlington/works/2020_notifications (accessed 23 May 2022).

An example of a notification is provided below (see Figure 9).

Figure 9. Example of DIT Notification of Works on T2D Website

Torrens to Darlington

Ground Investigation Works

The Torrens to Darlington (T2D) Project is the final 10.5 km section of South Australia's world-class multi-billion dollar North-South Corridor. In the coming weeks the Department for Infrastructure and Transport will be undertaking ground investigations in your area as part of the early works for the next stage of the Project. This will help us to develop a comprehensive picture of the underlying soil and ground water conditions along the South Road corridor.

Location and timing

We will continue to carry out a 24 hour pumping test in the south western corner of Kegworth Reserve, Melrose Park. Investigations works are expected to continue until **11 December**.

In the event that these works need to be rescheduled due to weather conditions or other circumstances outside of our control, we will advise you as soon as we have details.

No Traffic restrictions

- Driveway access at locations adjacent to the works will be maintained for the duration.

What to expect

During works you may notice additional ground and traffic management personnel and equipment within the area. Some disturbances can be expected such as noise, dust and vibration.

Keeping you informed

If you have any questions or concerns and would like to speak to a member of our project team, please do not hesitate to contact us on 1300 951 145 or northsouthcorridor@sa.gov.au

You can also subscribe to receive electronic updates at dit.sa.gov.au/torrenstodarlington

Source: DIT, Torrens to Darlington: Ground Investigation Works, Notification December 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/966059/GI_Notifications_Kegworth_Reserve_Melrose_Park_Pumping_Works_November_De...pdf (accessed 23 May 2022).

One of the key findings of DIT's community survey concerned effective communication "*during construction and communicating land requirements sooner than later to ease community anxiety*".⁴⁷

The Committee heard that DIT had made comments in the media that all T2D properties for acquisition had already been identified and notified, leading residents to assume their properties were safe. However, the Committee heard that some properties were issued with Notices of Acquisition after the media announcement.⁴⁸

At the public hearing, Mr Tony Braxton-Smith argued that his team had made every "endeavour to identify all parties affected, but the requirements in the Land Acquisition Act do limit our ability to get the details of the tenants ahead of time."⁴⁹ He asserted that no further properties were added for compulsory acquisition after media announcements.⁵⁰

His colleague, Mr McQuillan, acknowledged that some owners received their notices later because their addresses were not updated in the database.⁵¹ DIT's official response to a Question on Notice provided further clarification:

- Three individuals with properties required in the Southern Tunnel Northern Portal area contacted DIT to advise they had not received the official correspondence; and
- 32 letters pertaining to properties to be acquired north of Anzac Highway were not received by the registered property owner due to outdated address details.⁵²

At the hearing, the Committee heard of confusion and anxiety arising from public statements made by the then Minister for Infrastructure and Transport, Hon Corey Wingard MP. During an address at a business breakfast, he informed local business owners that all the commercial properties along the North-South corridor to be acquired had already been notified. However, the owner of the Billy Hyde music store on Richmond Road who attended the breakfast, received a notification weeks later.⁵³ He later shared this information with the media.⁵⁴

Minister Wingard also offended during an interview on ABC Radio, stating that locals "*should have expected this as the project has been in the wings for years*". Ms Peter and Leanne Gordon described this as "*just one of the many examples of the dismissive, arrogant and upsetting approach to the overall communication and acquisition process*."⁵⁵ Paul from the electorate of Badcoe was also insulted by these comments that "*added salt to the wounds*" of homeowners.⁵⁶

However, witnesses and submitters indicated that property owners and the community harboured negative sentiments about DIT's communications with the public. At best, the process was described

⁴⁷ DIT, T2D: Community Engagement Report, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 11.

⁴⁸ Hon Antonis Koutsantonis, *Committee Hansard*, 16 December 2021, p. 17.

⁴⁹ *Committee Hansard*, 16 December 2021, p. 17.

⁵⁰ Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 17.

⁵¹ Mr McQuillan, *Committee Hansard*, 16 December 2021, p. 17.

⁵² Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 17.

⁵³ Mr Braxton-Smith clarified the situation in his response to Questions on Notice. The property owner of Billy Hyde Music was sent his letter on 3 November 2021 with the other dates but it was returned to DIT marked 'returned to sender'. DIT attempted to contact the owner through other means (*Response to Questions on Notice*, 22 January 2021, pp. 21-22).

⁵⁴ Hon Antonis Koutsantonis; Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 22.

⁵⁵ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 1.

⁵⁶ Paul, *Submission 14*, Row 30.

as “*better than in the past, but still plenty of room for improvement.*”⁵⁷ At worst, it was worth “*a 1 star rating*”.⁵⁸

SRIWAG’s submission described their efforts to make DIT “be more transparent around the location, timeframes and other details about potentially disruptive works and key project milestones, to date without success.”⁵⁹

In a survey, constituents from the electorate of Badcoe provided responses describing DIT’s communications as vague and lacking transparency:

- Nesha stated that “transparent communication from DPTI is vital as is meeting and answering honestly residents questions”.⁶⁰
- Jason described a “total lack of transparency in communicating the reference design”.⁶¹
- Mark would have preferred honest replies rather than “*too many vague answers*” to his questions.⁶²
- Lesley expressed the confusion arising from vague communication, arguing that nobody in her street could tell her how many houses would be affected nor advise on the street design⁶³
- Rob felt the lack of “effective communication” was “totally unacceptable”⁶⁴
- Mary described “not complete honesty about the project”.⁶⁵
- Claire felt like the design was “*being determined on the hop*”.⁶⁶
- Tony believed people “*have been left in the dark*”. Although he would now be living close to the new roadway, he had not received any information such as diagrams or plans. He specifically stated there should be an information contact in the department.⁶⁷
- Michelle stated that the lack of detailed information released to the community was “*appalling*”.⁶⁸
- Michael stated that one of his biggest concerns was DIT’s lack of transparency.⁶⁹

Kevin Schofield, a proxy for one of the members of the reference groups, stated that the group was given an updated plan – not the full Reference Design – and told to keep it secret from the public. They could not share photographs or distribute the design. The rationale was that DIT wanted to inform property owners that their homes were to be compulsorily acquired rather than them finding out via the media.⁷⁰ The Committee heard confirmation at the hearing from Hon John Darley MLC

⁵⁷ Mark, *Submission 13*, Row 14.

⁵⁸ Christine, *Submission 13*, Row 10.

⁵⁹ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 3.

⁶⁰ Nesha, *Submission 13*, Row 4.

⁶¹ Jason, *Submission 13*, Row 6.

⁶² Mark, *Submission 13*, Row 14.

⁶³ Lesley, *Submission 13*, Row 23.

⁶⁴ Rob, *Submission 13*, Row 36.

⁶⁵ Mary, *Submission 13*, Row 37.

⁶⁶ Claire, *Submission 13*, Row 48.

⁶⁷ Tony, *Submission 13*, Row 53.

⁶⁸ Michelle, *Submission 13*, Row 58.

⁶⁹ Michael, *Submission 13*, Row 35.

⁷⁰ Mr Keven Schofield, *Submission 8*, p. 2.

that the acquiring authority had responsibility to first notify property owners before they found out via a third party.⁷¹

However, two submissions informed the Committee that residents found out about the Anzac Highway flyover from the media. Ms Kate Starr was “*shocked to discover, through the front page of the Sunday Mail, that an inclusion of a 10m high flyover will be built at the end of our street - resulting in a triple layer of traffic*”.⁷² Mr Shane Mulraney only became aware of the Anzac Highway flyover from a nightly news broadcast in late November: “*I was in no way advised via literature or door knock that this was in the planning*”.⁷³

Responses from the survey conducted in the electorate of Badcoe strongly reflected public dissatisfaction with DIT’s inability to inform residents and property owners about the T2D project before the media or other information sources:

- Jennifer stated that many people had been “left to hear about the project design in the media first”, considering it “totally unacceptable”.⁷⁴
- Sharon felt that DIT did not release project information to the community until after sending it to the media;⁷⁵
- Pauline found information through a local Facebook group rather than DIT;⁷⁶
- Emily stated that “*everything seems to come from the media first*” but in insufficient detail. She pointed out that DIT’s website was updated long after publication of articles about the project in the newspaper;⁷⁷
- Adrian reported first learning about the Anzac Highway flyover from the media;⁷⁸
- Janine initially saw information on the television news and said “*personal contact would have been nice*”.⁷⁹
- Lesley only heard about the project from the media. “*The media has more info than the community!*”⁸⁰
- Paul heard details from the media half a day before information came from DIT;⁸¹
- Wally described the Advertiser newspaper as his “*guide for information*”;⁸²
- Michael felt that plans were provided exclusively to the Advertiser rather than residents;⁸³

⁷¹ Hon John Darley, *Committee Hansard*, 16 December 2021, p. 4.

⁷² Ms Kate Starr, *Submission 6*, p. 1.

⁷³ Mr Shane Mulraney, *Submission 15*, p. 1.

⁷⁴ Jennifer, *Submission 13*, Row 7.

⁷⁵ Sharon, *Submission 13*, Row 16.

⁷⁶ Pauline, *Submission 13*, Row 8.

⁷⁷ Emily, *Submission 13*, Row 17.

⁷⁸ Adrian, *Submission 13*, Row 19.

⁷⁹ Janine, *Submission 13*, Row 20.

⁸⁰ Lesley, *Submission 13*, Row 23.

⁸¹ Paul, *Submission 13*, Row 24.

⁸² Wally, *Submission 13*, Row 28.

⁸³ Michael, *Submission 13*, Row 35.

- Despite being on one of the Community Reference Groups, Anne was unaware of residents being notified of compulsory acquisitions. She first found out from a friend's Facebook post;⁸⁴
- Kylie heard about the project by the media which was "*a totally unacceptable way to notify me*";⁸⁵
- Heather first learnt about the road design from the Advertiser, despite searching for it online;⁸⁶
- Michelle was devastated to first see her house in a concept design in the Sunday Mail; and⁸⁷
- Louie was first informed about acquisition and road design by the media which he considered inappropriate as he thought he would have been informed by DIT prior.⁸⁸

Most of the submissions and witnesses described negative experiences or concerns about communications with DIT:

- Mr Jason Sandercock and Ms Nesha Sathurayar owned a rental property at West Hindmarsh. Every other owner on the block received notification from DIT that their properties would be acquired for the T2D project. As Mr Sandercock and Ms Sathurayar's property was the only remaining property, they did not receive any contact from DIT despite the potential impact of the project on the rental property and its ability to generate the same level of income.⁸⁹ They expressed their views at a meeting with DIT but felt "*patronised*" and that "*mere lip service was given to us*".⁹⁰
- Mr Peter Andresakis stated that the residents on the western side of Jervois Street, West Hindmarsh, had not been formally advised of the loss of parklands and proposed construction of an elevated roadway close to their properties.⁹¹
- Mr Peter and Mrs Leanne Gordon of Glandore described DIT's communication as "*minimal*" and their staff as "*unable to answer real questions*". They criticised DIT for issuing acquisition letters to residents before preparing them with any information. They described a total lack of correspondence or email – just a business card handed to their daughter when they were not home.⁹² At their meeting, the two case managers failed to bring any plans and had to call DIT to send them a concept drawing on their phones.
- Kate and Chris Lockyer described communication as "*appalling*" and a "*drip feeding of information*". They revealed that rumours had spread about property acquisitions. When confronted, the T2D project team denied knowing about acquisitions and yet acquisition notices were dispatched the following week.⁹³
- Mr Peter Mourdoukoutas wrote his submission on behalf of his elderly parents whose home of 50 years was to be acquired. They only received a generic flyer informing members of the community to register their details for updates on the Torrens River to Darlington project. He did not do so, believing it to be irrelevant to the property that had been already considered

⁸⁴ Anne, *Submission 13*, Row 46.

⁸⁵ Kylie, *Submission 13*, Row 54.

⁸⁶ Heather, *Submission 13*, Row 56.

⁸⁷ Michelle, *Submission 13*, Row 58.

⁸⁸ Louise, *Submission 13*, Row 59.

⁸⁹ Mr Jason Sandercock and Ms Nesha Sathurayar, *Submission 3*, p. 1; Nesha, *Submission 13*, Row 4.

⁹⁰ Nesha, *Submission 13*, Row 4.

⁹¹ Mr Peter Andresakis, *Submission 4*, p. 1.

⁹² Mr Peter Mourdoukoutas, *Submission 10*, p. 2.

⁹³ Kate and Chris Lockyer, *Submission 11*, p. 1.

as part of the completed Torrens-to-Torrens project. He was shocked to observe contractors working in the area and then for his parents to receive a Notice of Intention to Acquire Land.

... we immediately rang DIT to ask why this was happening. DIT staff were very evasive in answering our questions and would not confirm if properties were identified for acquisition. ... We requested diagrams and maps to be provided and again we were told we would have to wait for the Reference design plan to be released before DIT could confirm if our property would be required.⁹⁴

Mr Mourdoukoutas accused DIT of “*intentionally misleading*” residents and requested an investigation into the culpability of individual staff members into the withholding of information from affected residents. He was also upset that Minister Wingard had released information regarding the Anzac Highway overpass to the media before sharing it with residents.⁹⁵

Respondents from the survey conducted in Badcoe echoed the same sentiments about DIT’s poor communication:

- Shannon disapproved of the “*drip feed*” communication strategy that made the community feel “*very anxious*”;⁹⁶
- Claire would have preferred the Reference Design to be “*ready to go and to go out all at once*”;⁹⁷
- Christine had no communication from DIT prior to a letter and felt there was “*nothing but secrecy for the affected residents ... We’re extremely bitter!*”;⁹⁸
- Paul was upset to discover a DIT contractor in his yard without receiving any notification from DIT about him; and⁹⁹
- Preeti considered there was no point interacting with DIT representatives who visited the home as they had “*no authority*” and poor understanding of the process themselves.¹⁰⁰

SRIWAG representatives were more critical of the broader communication strategy than the one-on-one meetings with property owners. One went so far to describe the process as “*disgusting*”.¹⁰¹ However, their submission reflected disappointment that residents received little information outside the public domain at these meetings. Questions about the corridor route or public facilities were not answered. They also used the term “*drip-fed*” to describe the process of information flow.¹⁰²

Communications from residents sometimes received unsatisfactory responses from DIT.

- On 7 November 2021, Mr Peter Andresakis sent an email to DIT requesting further clarification about the compulsory acquisition of his property. A brief response from DIT stated that his query had been forwarded to Minister Wingard who would respond “*in due course*”. By the time of writing his submission to the Inquiry by 24 November 2021, he had not received a response.¹⁰³

⁹⁴ Submission 10, p. 1. See also Peter, Submission 13, Row 40.

⁹⁵ Submission 10, p. 1.

⁹⁶ Shannon, Submission 13, Row 21.

⁹⁷ Claire, Submission 13, Row 48.

⁹⁸ Christine, Submission 13, Row 10.

⁹⁹ Paul, Submission 13, Row 24.

¹⁰⁰ Preeti, Submission 13, Row 47.

¹⁰¹ Anne, Submission 13, Row 46.

¹⁰² Mr Ryan and Ms Cashen, SRIWAG, Submission 12, p. 3.

¹⁰³ Mr Peter Andresakis, Submission 4, p. 1.

- Ms Kate Starr described a visit from DPTI representatives to her house in September 2021. They advised that the property would be impacted by the project but did not elaborate how, stating that more information would be provided via project updates. By the time she wrote her submission to this Inquiry in November 2021, she had not received any further communications.¹⁰⁴
- Upon receiving a letter of Notice of Intention to Acquire Land, Mr Peter and Mrs Leanne Gordon contacted DIT to arrange a meeting. They received a voice mail, left a message and were informed the contact person was having a 'flexi day'.¹⁰⁵
- Elizabeth from the electorate of Badcoe had a similar experience. After receiving her letter, she called a number only to discover the contact person was on leave.¹⁰⁶
- Tricia, Megan, Vicky and Heather from the electorate of Badcoe never received emails about the project despite signing up to the distribution list.¹⁰⁷
- Paul and Michael from the electorate of Badcoe signed up to the distribution list and received only one email about the project.¹⁰⁸
- Mr Jason Chigwidden asked DIT questions about South Road that were never answered.¹⁰⁹

Other submissions criticised DIT's communication materials and channels:

- Mr Mourdoukoutas dismissed a flyer because of the project's T2D title: "... all the information released by the Minister and DIT through media and on their website to date identifies this project as the Torrens river to Darlington upgrade not the Grange road to Darlington upgrade, this has been very misleading to affected residents."¹¹⁰
- SRIWAG castigated DIT for lagging behind the media in publishing information, failing to publish content about the design to their own social media channels until almost 36 hours later.¹¹¹
- Mr Shane Mulraney described the communication materials as "propaganda released to advise that this [the project] will be safer, save time etc."¹¹²
- Respondents from the survey conducted in Badcoe were similarly dissatisfied with the communication materials:
 - Lorraine received a calling card from DIT representatives who visited her house when she was out. It provided no information about construction or works in her area.¹¹³
 - Vicky was disappointed by the lack of publicly available information about the construction on the site of her property located behind South Road. She argued that the website didn't provide any diagrams for her specific location. She had only

¹⁰⁴ Ms Kate Starr, *Submission 6*, p. 1.

¹⁰⁵ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 3.

¹⁰⁶ Elizabeth, *Submission 13*, Row 15.

¹⁰⁷ Tricia, *Submission 13*, Row 22; Megan, *Submission 13*, Row 32; Vicky, *Submission 13*, Row 34; Heather, *Submission 13*, Row 56.

¹⁰⁸ Paul, *Submission 13*, Row 24; *Submission 13*, Row 35.

¹⁰⁹ Mr Jason Chigwidden, *Submission 14*, p. 1.

¹¹⁰ *Submission 10*, p. 1.

¹¹¹ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 2.

¹¹² Mr Shane Mulraney, *Submission 15*, p. 1.

¹¹³ Lorraine, *Submission 13*, Row 31.

received flyers that she did not take seriously. Vicky was also disappointed that she was not prompted to attend a public discussion at the local council, library or with her local MP.¹¹⁴

- Kylie received a note in her letterbox that was misaddressed. “If you can’t get this correct how can we have confidence you can manage the biggest road infrastructure in Adelaide”.¹¹⁵
- Lesley criticised a lack of central location for all the information on the project.¹¹⁶
- Both Lorraine and Louie described viewing plans that could not be photographed.¹¹⁷

Finally, the Inquiry uncovered a misconception that the properties that fell within the previous T2T upgrade were safe from future phases of the North-South corridor project. Some households were unaware they were once again in scope for another part of the North-South corridor upgrade.

The SRIWAG group reported that this issue was raised at the Northern Tunnel Community Reference Group. Once the Reference Design for the Northern Tunnels became public, it was evident that the scope of the project crept onto the northern side of the River Torrens to include West Hindmarsh. The project title of Torrens to Darlington became misleading since the works did not begin at the Torrens at all. “So we said, “*Why on earth did you call this new bit Torrens to Darlington? It should have been called Grange Road to Darlington and then these people would have at least received some notification or some idea.*”¹¹⁸

- In his submission, Peter Mourdoukoutas stated that he did not sign up for updates to the T2D project because he lived between the River Torrens and Grange Road. He “*did not feel that we needed to be kept informed as this section of the project ... was completed several years earlier.*”¹¹⁹
- Mary-Ann and Stephen from the electorate of Badcoe “*went through*” the roadworks of the Gallipoli underpass and were informed then that there would be no more roadworks for the North-South corridor.¹²⁰
- Lorraine from the electorate of Badcoe “*thought her bit was done*” with the T2T upgrade and had “*no reason*” to think she’d be impacted by future construction on the T2D.¹²¹
- Wendy from the electorate of Badcoe “*suffered through*” the roadworks for the Gallipoli underpass and now had to go through the T2D project ten years later.¹²²
- Mr George Czerwinski, as well as his mother-in-law and son’s family, lived through the disruption of the T2T project on their properties and lives which included stress, medical issues, reduced property value, change of land title and complaints from the dust and noise. The three properties underwent renovations to cope with the aftermath of the renovations such as extensions and planting greenery as a sound barrier. On 4 November 2021, the three properties all received notifications they were to be compulsorily acquired as part of the T2D

¹¹⁴ Vicky, *Submission 13*, Row 31.

¹¹⁵ Kylie, *Submission 13*, Row 54.

¹¹⁶ Lesley, *Submission 13*, Row 23.

¹¹⁷ Lorraine, *Submission 13*, Row 31.

¹¹⁸ Ms Cashen, *Committee Hearing*, 16 December 2021, p. 44.

¹¹⁹ Mr Peter Mourdoukoutas, *Submission 10*, p. 1.

¹²⁰ Mary-Ann and Stephen, *Submission 13*, Row 30.

¹²¹ Lorraine, *Submission 13*, Row 31; *Submission 13*, Row 59.

¹²² Wendy, *Submission 13*, Row 27.

project. The submission read as if Mr Czerwinski thought the T2D project was the same T2T project but with a different name:

In a recent meeting with DTI [sic] representatives on Thursday 11th November, 2021 we noted that the project terminology had changed. All our previous dealings were referred to Torrens Road to Torrens River (T2T) project. The DTI representatives said no, it is the Torrens Road to Darlington project!

So if this was the case, “How long was this plan in place?”

Why wasn’t this plan shown on the original T2T drawings back in 2014?

This indicates a miscommunication between DIT and the community on the various elements of the North-South corridor project.¹²³

Residents from the electorate of Badcoe suffered anxiety from uncertainty arising from DIT’s inability to clarify whether they would lose their homes.

- Anne reported that residents who had not received a letter from DIT were “still concerned and living with significant uncertainty about what exactly is coming.”
- Preeti reiterated “the fear of changes happening is quite scary if you have just purchased a property in the area.”¹²⁴
- Eric “it’s been terrible waiting in limbo.”¹²⁵

¹²³ Mr George Czerwinski, *Submission 16*, p. 3-4.

¹²⁴ Preeti, *Submission 13*, Row 47.

¹²⁵ Eric, *Submission 13*, Row 50.

The issue of poor communication between the department and owners/residents regarding the process of compulsory acquisition was a longstanding issue first raised in a 2017 Select Committee Inquiry on the compulsory acquisition of properties in the North-South corridor. The Inquiry report recommended that:

1. The Department of Planning, Transport and Infrastructure (DPTI) ... provide detailed information at the outset to those affected by compulsory acquisition including: a clear distinction between the property's valuation and compensation for disturbance; owners' entitlement to legal fees, an independent valuation, accountant's fees, personal support, removalist charges and business costs.

1.1 The information should be in plain English rather than legal jargon, with indicative amounts of allowable compensation; details to be included on the department's website for greater transparency.

1.2 DPTI to offer advice and assistance to those affected by compulsory acquisition in a way that is sensitive to cultural and linguistic diversity.¹²⁶

In 2021, DIT provided owners with a ten-step guide to help them understand each phase of the process.¹²⁷

One of the witnesses, Dr Duygu Yengin, Director of Gender Equity, Diversity and Inclusion at the Faculty of Professions at the University of Adelaide, conducted research into compulsory acquisitions in Australia. At the hearing, she shared the key findings of her work with the Committee.¹²⁸ Dr Yengin stated that clear communication was a major issue at a broader level for many of the people she interviewed.

- DIT needed to provide greater clarity to property owners: *"the first main concern was about lack of clear timelines, lack of information about procedures and timelines and not having clear communication."*¹²⁹ Furthermore, the existing documentation provided to property owners did not seem adequate: *"there should be written information about the full legal rights and the process and how the time frame is scheduled, what are the steps of the acquisition"*.¹³⁰
- Dr Yengin told the Committee that too many ambiguities remained about the process: *"after interviewing so many people, they weren't very clear and I wasn't very clear, so these are not very clearly presented to the public, I believe."*

She recommended to the Committee that:

When communicating, the government should also have some guidelines so they should respond to emails or questions, let's say within two weeks, or at least acknowledge the receipt of emails by the

¹²⁶ *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, pp. 4-5.

¹²⁷ DIT, *10-step Acquisition Process*, https://dit.sa.gov.au/landacquisition/10_step_acquisition_process (accessed 7 January 2022).

¹²⁸ Dr Yengin conducted research into compulsory acquisitions on the following key themes – mutual objectives for citizens and government, level of trust in government, fairness of compensation and wellbeing, timelines and timeliness, information transparency; and recommendations from the public to improve the compulsory acquisition process (*Committee Hansard*, 16 December 2021, pp. 25-26).

¹²⁹ *Committee Hansard*, 16 December 2021, p. 26.

¹³⁰ *Committee Hansard*, 16 December 2021, p. 26.

owners and, similarly, the government should give more than 24 hours to ask for a response from an owner.¹³¹

Furthermore, she recommended that:

- State Government establish timeframes for key events during the process of acquisition such as setting a maximum time for an offer after a valuer visit, responding to questions and acknowledging receipt of communications;
- fair and clear parameters be set for owners to respond (e.g., more than 24 hours); and
- more reports and information should be released informing the public about the social benefits of projects.¹³²

2.3 Methodology to Calculate Property Valuations

DIT provided the Committee with a submission outlining the general process of compulsory acquisitions for all public works projects. This is incorporated into the discussion below, along with evidence provided at the Committee hearing from the former Valuer-General, Hon John Darley MLC.

2.3.1 Valuation Process

Section 25 of the *Land Acquisition Act 1969* sets out the principles of compensation:

a) compensation payable to a claimant shall be such as adequately to compensate him for any loss that he has suffered by reason of the acquisition of the land; and

(b) in assessing the amount referred to in paragraph (a) of this section consideration may be given to—

(i) the actual value of the subject land; and

(ii) the loss occasioned by reason of severance, disturbance or injurious affection; and

c) compensation shall be fixed as at the date of acquisition of the land; and ...

*g) no allowance shall be made on account of the fact that the acquisition is effected without the consent, or against the will, of any person.*¹³³

Residents and owners were entitled to compensation to the value of the land/business and any loss suffered.¹³⁴ The valuation could start after the notice of intention is served and had to be completed prior to the date of acquisition, according to Mr Braxton-Smith.¹³⁵ Mr Steve McQuillan, Director, Property, Across Government Services, DIT stated that “*the valuation is always dated at the notice*

¹³¹ *Committee Hansard*, 16 December 2021, p. 26.

¹³² *Committee Hansard*, 16 December 2021, p. 26.

¹³³ *Land Acquisition Act 1969*, https://www.legislation.sa.gov.au/_/legislation/lz/c/a/land%20acquisition%20act%201969/current/1969.93.au.th.pdf (accessed 1 February 2022), p. 26; *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, pp. 37-38.

¹³⁴ Legal Services Commission of South Australia, *Compensation*, <https://lawhandbook.sa.gov.au/ch28s02s10s03.php> (accessed 2 November 2021).

¹³⁵ DIT, *Submission 17*, p. 4; *Committee Hansard*, 16 December 2021, p. 18.

of acquisition because that is when it gets gazetted and the property becomes the ownership of the department."¹³⁶

The acquiring authority instructed the Office of the Valuer-General (OVG) to undertake a tender process of suitably qualified expert valuers. Once valuers were appointed, DIT requested the OVG to instruct the valuers on its behalf to assess compensation "*for either the registered proprietors of the property or for the tenant's interest depending on the nature of the interest*".¹³⁷

Hon John Darley, Member of the Legislative Council (MLC) and former Valuer-General, told the Committee that the value of compensation rested on three precedents of case law. First, a determination that the amount of compensation to be paid should err on the more liberal side of the resident if in doubt. Secondly, that property values fell when major roadworks were reported to the public. As the resident was not at fault, this could not factor into determining market value and compensation. Thirdly, that sales both before and after the date of acquisition can be considered in determining the value of compensation.¹³⁸

He stated that most valuers obtained their sales evidence from the Land Titles Office, which provided a date for when a property sale was registered – not the date of a contract being signed between two parties which is the legal date that stands up in court.¹³⁹

DIT's submission reflected a process rooted in the case law principles, listing the following steps involved in the methodology valuers used to establish the value of compensation:

- the valuer considers the "*actual value of the subject land acquired and any loss occasioned by reason of severance, disturbance or injurious affection*";¹⁴⁰
- the valuer must not make any allowance for diminution in the value of the land because of "*any proposed or expected development*";
- the valuers issue the valuation reports to the OVG who then reviews them to ensure they comply with Supreme Court Civil Rules and current Australian Property Institute Technical Information Papers, Guidance Notes and International Valuation Standards;
- if the valuation complies with these requirements, OVG issues DIT with a valuation certificate of endorsement;
- upon receiving the valuation with the endorsement, DIT writes to the owner, advising them of the assessment and their rights; and
- the owner can accept the offer or seek independent advice from their choice of registered valuer. In which case, DIT will meet reasonable costs.¹⁴¹

¹³⁶ *Committee Hansard*, 16 December 2021, p. 18.

¹³⁷ *Submission 177*, p. 1.

¹³⁸ Hon John Darley, Member of the Legislative Council, *Committee Hansard*, 16 December 2021, p. 1.

¹³⁹ Hon John Darley, *Committee Hansard*, 16 December 2021, pp. 1-2.

¹⁴⁰ Severance and injurious affection are only relevant for partial acquisitions (DIT, *Submission 17*, p. 1).

¹⁴¹ *Submission 17*, pp. 1-2.

Timing of valuation

DIT's submission provided the following information on the timing and market value of compensation:

- The value of compensation was assessed “*as at the date of compulsory acquisition with all values for acquisitions required under the Act to be as at the date of acquisition, which is the date of the Notice of Acquisition (NOA) and its gazetta*”.
- To ensure currency of the compensation, DIT instructed its valuer to review an assessment if it was made prior to the date of the NOA. In which case, the valuer reviewed the assessment again “*prior to compulsorily acquiring the property (triggered by the serving of the NOA)*”.
- The government appointed valuer was “*always instructed to err in favour of the claimant in relation to any ‘range’ that the valuer might determine*”.
- The process under the Act and as implemented by DIT was to provide the claimant “*with full access to services that they can engage at the government’s cost to undertake their own assessment of market value*”.
- The date of sale must be considered and the valuer must make “*appropriate allowances for the movement in the market either prior to or after the date of acquisition in their valuation report*”.
- This can also apply to the valuers identifying if a sale date related to the “*contracted date or the settlement date and making any allowance they feel is justified due to any timing differential*”.
- The valuer acting for the claimant could identify more recent sales that may precipitate revising the government valuation, usually at the valuers’ conference. “*This ensures the process allows for rising and falling markets with the claimant able to have any sales they believe are relevant identified through their valuer if they believe the government appointed valuer has not taken a specific sale into consideration*”.
- There was a legislated requirement that compensation is “*to be assessed and paid into the Supreme Court at the date of acquisition*”.¹⁴²

At the Committee hearing, Mr McQuillan added further information to DIT's submission. He told the Committee that the Office of the Valuer-General used its own panel to determine the most appropriate valuers to value a property.¹⁴³

At the same hearing, Mr Braxton-Smith confirmed that DIT followed a principle of “*resolving all doubt in favour of the owner*”, meaning that if a claimant's valuer could establish a higher value of compensation based on appropriate sales in the area, DIT would accept the higher amount.¹⁴⁴

The valuation and any other compensation were paid into a Supreme Court fund accessed by the claimant after the date of acquisition regardless of whether they agreed with the valuation. Removing the money may not necessarily indicate agreement with the valuation and negotiations could continue.¹⁴⁵

¹⁴² Submission 17, pp. 4-5.

¹⁴³ Committee Hansard, 16 December 2021, p. 14.

¹⁴⁴ Committee Hansard, 16 December 2021, p. 13.

¹⁴⁵ Mr Steve McQuillan, DIT, Committee Hansard, 16 December 2021, p. 19.

Valuers and settlement conferences

- If agreement on the valuation cannot be determined, DIT must convene a valuers' conference to determine an acceptable value. DIT representatives do not attend the conference and all discussions remain between the appointed valuers for each party. Following completion of the conference, DIT requires that a joint valuers' statement is produced and advice is obtained from valuers as to whether they are prepared to amend the assessment. If this is the case, the claimant/owner is given a revised compensation offer.
- If the claimant considers the government valuation to be low, they can identify alternative property sales supporting their case for a higher value that can be discussed at the valuers' conference.
- The conference enables both parties to determine an agreed value. If this cannot be done, the reasons for the difference of opinion can be identified.
- In addition to a valuers' conference, Section 23BA of the Act also allows the claimant/owner to request a settlement conference.
- DIT arranges this conference, including appointing a conference coordinator and meeting all costs.
- If the settlement conference does not finalise matters, DIT can continue to negotiate in good faith with the claimant or the claimant/owner can apply to the General Division of the Supreme Court to resolve the matter.
- A matter cannot be referred to court until a settlement conference has been held.¹⁴⁶

There is a legislated requirement that compensation is "to be assessed and paid into the Supreme Court at the date of acquisition".¹⁴⁷

2.3.2 Determining Market Value

At the hearing, Mr Braxton-Smith informed the Committee that all property owners had been served an NOI to advise their properties would be acquired, but DIT would stagger notices of acquisition throughout the life of the T2D project.¹⁴⁸ Since valuations could begin after the notice of intent, property owners could find themselves relying on an outdated valuation if the premises was not re-valued closer to the time it changed ownership. In the case of T2D, this could be years. In the hearing, Mr McQuillan informed the Committee that DIT would either revalue or delay valuations to a claimant's advantage if significant time had passed after an initial valuation. This was to ensure the "*value that is determined is as close as it can be to when they will be acquiring their own replacement property.*"¹⁴⁹

In its submission, DIT stated that movements in the real estate market were factored into compensation values.¹⁵⁰ In a response to a Question on Notice, Mr Braxton-Smith stated that where "*time or market movement has occurred between an initial valuation report and the date of acquisition, on instruction by DIT to the Office of the Valuer-General, updated valuations are*

¹⁴⁶ DIT, *Submission 17*, p. 3, 4.

¹⁴⁷ *Submission 17*, p. 5.

¹⁴⁸ *Committee Hansard*, 16 December 2021, p. 18.

¹⁴⁹ *Committee Hansard*, 16 December 2021, p. 19.

¹⁵⁰ *Submission 17*, p. 4.

sourced.” He also stated that a valuer may be asked to consider a sale occurring after the date of acquisition.¹⁵¹

At the hearing, Former Valuer-General, Hon John Darley MLC, provided evidence to the Committee about determining market value in the compulsory acquisitions process. He told the Committee of an occasion when he was asked to comment on a valuation of a townhouse on Fullarton Road to be acquired for the intersection upgrade. The date of acquisition was 7 February 2021. However, the valuers used sales in the area dated from December 2019, March 2020, October 2020 and December 2020 to determine market value. He considered those figures – some almost two years old - to be “*completely irrelevant. The market is changing day by day and you cannot even rely on the sale of a property today in determining the market tomorrow.*”¹⁵² He added that both valuers signed off on this valuation in December 2020 – three months before the property was acquired, despite a dramatic shift in the real estate market at this time. He reminded the Committee that valuations from both before and after the date of acquisition could be used to determine market value. He suggested that the *Land Acquisition Act 1969* be amended to clearly incorporate consideration of sales after acquisition in the case of a volatile market.¹⁵³

Hon John Darley MLC also cited another example of a property acquired in March 2021 with the valuers using sales dating back to 2017.¹⁵⁴

In a response to a Question on Notice, DIT addressed the case of the property using the sale from 2017 in its valuation. The response argued that no valuer relied on a single sale and that:

while we cannot specifically identify or comment on the example used by Mr Darley, it is general professional practice for valuers to obtain as many recent sales as they deem appropriate, with variation to sale dates of comparable sales providing a broad view of the market and movements that have occurred over time. Obviously, the location will dictate the level of activity in a particular market, with a valuer limited to less transactions in less active markets and therefore will often need to consider older sales or cast their net wider.¹⁵⁵

Hon John Darley MLC stated that he had no confidence in the Valuer-General’s office to assign appropriate market value to properties, given to their own inability to articulate their role in the compulsory acquisitions process. He reported that DIT provided evidence to him that the Deputy Valuer-General provided DIT with a list of approved valuers to value properties. However, when Hon John Darley MLC asked the Valuer-General’s office, they denied this was their role. Hon John Darley MLC also stated that the Valuer-General told him they did not check each valuation.¹⁵⁶

Furthermore, Hon John Darley MLC told the Committee that areas were “*blighted*” in terms of market value once the public learnt that they could be subject to compulsory acquisition.¹⁵⁷ Hon John Darley MLC told the Committee that valuers were legally obliged to set market value and compensation for properties as if no public announcement had been made as per determinations in case law. This

¹⁵¹ *Response to Questions on Notice*, 21 January 2022, p. 9.

¹⁵² Hon John Darley, *Committee Hansard*, 16 December 2021, p. 2.

¹⁵³ Hon John Darley, *Committee Hansard*, 16 December 2021, p. 3-4. Mr McQuillan listened to Mr Darley’s testimony and concurred that valuations looked at all comparable sales before and after the date of acquisition (*Committee Hansard*, 16 December 2021, p. 13).

¹⁵⁴ *Committee Hansard*, 16 December 2021, p. 2.

¹⁵⁵ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2021, p. 9.

¹⁵⁶ *Committee Hansard*, 16 December 2021, p. 3.

¹⁵⁷ Hon John Darley, *Committee Hansard*, 16 December 2021, p. 1.

was to protect the financial interests of property owners who had not contributed to any financial decline in their properties by any fault of their own.¹⁵⁸

Mr McQuillan from DIT provided some information to the Committee that contradicted Hon John Darley MLC's evidence. He stated that the Valuer-General's office procured valuers but did not assess the value of each valuation because that responsibility legally sat with each valuer. However, he clarified that the Valuer-General's office did assess valuations for conformity with the *Land Acquisition Act 1969* but not regarding the dollar value of the property. *"They procure the services and make sure that the valuation and the valuer has undertaken the valuation in line with all of the necessary professional standards."*¹⁵⁹

2.3.3 Public Critique of Market Value Calculations

At the time of the Inquiry, DIT had only recently begun sending notifications to some residents while others were discovering that their properties would remain. The Committee heard evidence that residents were concerned that compensation offered might not meet the costs of purchasing a new property in the same area with access to the same community facilities.

- Mr Cheng Chang was notified that his property in Glandore would be acquired. His submission expressed confusion and concern about DIT's methodology and capacity of the project budget to meet the prices in a booming real estate market. *"I am wondering at the beginning the project budget set to \$9.9 billion, ... [is] the budget still up to date, because of the real estate market so hot at this stage, so do we ... get enough money or real market value to buy a new property."*¹⁶⁰
- Mr Peter and Mrs Leanne Gordon of Glandore stated that the project costs had been determined prior to the COVID-19 property boom. They questioned how DIT could come to a mutually agreeable valuation considering this and how the overall project budget would be reduced to take these increased values into consideration. They reported that valuation figures discussed with some owners were too low to purchase *"like for like"* properties in surrounding suburbs.¹⁶¹
- Mr Peter Mourdoukoutas was concerned about obtaining a fair price for his parents' home *"of 50 years considering the current real estate market. I do not believe I will be able to by [sic] a similar property in my neighbourhood and be close to my family and friends, which we rely on for support."*¹⁶²
- Mr Peter Andresakis' submission highlighted that his large family would struggle to find a comparable property close to the places they frequented: *"Where are we, a family of seven, able to find a 1920s bungalow approximately 900 m2 on the banks of the River Torrens, walking distance to our Brickwork Shopping centre, our doctor also at the Brickworks, our St. George Greek Orthodox Church Thebarton and our much-cherished St. George College."*¹⁶³

¹⁵⁸ Assuming the property had been adequately maintained (Hon John Darley, *Committee Hansard*, 16 December 2021, p. 1).

¹⁵⁹ Mr Steve McQuillan, *Committee Hansard*, 16 December 2021, p. 14.

¹⁶⁰ Mr Cheng Chang, *Submission 2*, p. 1.

¹⁶¹ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 2.

¹⁶² Mr Peter Mourdoukoutas, *Submission 10*, p. 1. See also Peter, *Submission 13*, Row 40.

¹⁶³ Mr Peter Andresakis, *Submission 4*, p. 2.

- SRIWAG conveyed the concerns of local property owners regarding DIT's calculation methodology in the current booming property market.¹⁶⁴
- Property owners and residents in the electorate of Badcoe argued that DIT's calculations failed to take market considerations into account for fair valuations:
 - Philip stated that his family would need to "*considerably increase our borrowings to stay in a comparable position location and house quality wise*";¹⁶⁵
 - Jason was deeply concerned that property valuations "*did not reflect current sellers market*" and that this impacted negatively on those needing to purchase another home due to compulsory acquisition;¹⁶⁶
 - Christine was a director of a real estate agency and familiar with the value of properties that could be raised through auction. She argued that the process of compulsory acquisition denied property owners the advantages of inflating a figure through the processes of styling and marketing. Christine stated that "*the payout figure should be well above market value to ensure us as home owners are not forced to go backwards in this sellers market to ensure we can buy another property, like for like.*" She said the State Government was "*getting out of this cheap*";¹⁶⁷
 - Ali raised the point that the compulsory acquisition process left her in a weak negotiating position;¹⁶⁸
 - Elizabeth described the market as "*crazy*" and claimed there was "*no way they will pay me anything near what I need to buy a property like mine again*";¹⁶⁹
 - Emily declared the property market was "*so hot at the moment*" and there was "*a limited number of homes*" available, making it unlikely people would be able to buy like for like in their area;¹⁷⁰
 - Wendy said that the valuations would be "*too low*" to obtain a similar property;¹⁷¹
 - Mary-Ann and Stephen did not understand the methodology, questioning how the valuations could take place at the time of acquisition. They believed that selling their home to take advantage of the property boom sooner rather than later would result in a higher valuation for their property;¹⁷²
 - Vicky's biggest concern was the price she would receive for her property as a single person on an average wage working two jobs six days a week;¹⁷³
 - Mary was "*very concerned about getting a fair price for our property and especially in these times where housing is going through the roof*";¹⁷⁴

¹⁶⁴ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 3.

¹⁶⁵ Phillip, *Submission 13*, Row 2.

¹⁶⁶ Jason, *Submission 13*, Row 6.

¹⁶⁷ Christine, *Submission 13*, Row 10.

¹⁶⁸ Ali, *Submission 13*, Row 13.

¹⁶⁹ Elizabeth, *Submission 13*, Row 15.

¹⁷⁰ Emily, *Submission 13*, Row 17.

¹⁷¹ Wendy, *Submission 13*, Row 27.

¹⁷² Mary-Ann and Stephen, *Submission 13*, Row 30.

¹⁷³ Vicky, *Submission 13*, Row 30.

¹⁷⁴ Mary, *Submission 13*, Row 37.

- Chantelle was worried “*I will not find a house like mine. The housing market is too expensive at the moment and it’s so hard to find anything that is like for like*”;¹⁷⁵
- Peter was “*very concerned about getting a fair price for our home of 50 years considering the current real estate market*”. He didn’t believe he could afford a similar property in his neighbourhood close to his family and friends;¹⁷⁶
- Peter wanted residents to be adequately compensated taking rising land values and difficulty finding comparable housing into account;¹⁷⁷
- Claire said that the real estate market was “*at an all time high*”. She did not think she could afford a property similar to her current home in the same location with the same “*multigenerational*” capacity to accommodate her mother’s needs and her own. Furthermore, she did not believe the calculations would be fair after the State election;¹⁷⁸
- Greg did not believe land values had been adequately considered;¹⁷⁹
- Eric described the real estate market as “*terrifying*” and stated that he was “*extremely concerned*” about receiving an offer that would allow him to remain in the local area; and¹⁸⁰
- Janine wanted a correct and fair market value that factored in increasing prices.¹⁸¹

In the public hearing, Dr Yengin summarised other difficulties experienced by participants in her study when the compensation payment left them out of pocket:

... mostly these houses that are acquired are on a road or by the road. So if they are acquired, you get the market value for that property, which is probably lower than another house in the same neighbourhood, so these people couldn’t afford another house in the same neighbourhood just because they were paid the market value of that house, so they have to move out. If they are living there for a reason such as a school zone for their kids, they will be missing out.¹⁸²

Even back in 2017, the Select Committee into compulsory acquisition of properties on the North-South corridor found that property owners experienced difficulties relocating to comparable properties with the compensation paid to them.¹⁸³

The Select Committee found the following major concerns:

inadequate value assigned to ... properties and their compensation for disturbance.
Landowners’ inability to purchase another property of a similar standard in a nearby area

¹⁷⁵ Chantelle, *Submission 13*, Row 38.

¹⁷⁶ Peter, *Submission 13*, Row 40.

¹⁷⁷ Peter, *Submission 13*, Row 44.

¹⁷⁸ Claire, *Submission 13*, Row 48.

¹⁷⁹ Greg, *Submission 13*, Row 49.

¹⁸⁰ Eric, *Submission 13*, Row 50.

¹⁸¹ Janine, *Submission 13*, Row 20.

¹⁸² *Committee Hansard*, 16 December 2021, p. 27.

¹⁸³ *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, p. 28-30.

generated similar distress. ... Several witnesses identified the impact of acquisition on their financial situation, whereby their formerly freehold status was replaced by debt.¹⁸⁴

At the hearing, Mr Braxton-Smith told the Committee that DIT would take a specific approach with the T2D project in prioritising “*giving owners certainty at the earliest point in the project where there is sufficient certainty as to the design and its property impacts.*” He highlighted the “*extended period of time between early notification and when possession of properties is required*”. DIT was implementing arrangements to give property owners the maximum amount of time to make informed decisions, given that some of the phases of construction would not begin for years. Mr Braxton-Smith reported that DIT was committed to “*taking a flexible approach*” with the formal notice of acquisition and working with them to agree on the timing that best suited them in the period up to when the property was required for the project.¹⁸⁵

2.4 Effectiveness of DIT’s Financial Assistance to Persons Impacted by Acquisitions

The Inquiry’s Terms of Reference sought to particularly investigate reimbursement of reasonable legal fees beyond the Supreme Court scale.¹⁸⁶ However, at the time of the Inquiry, none of the submitters or witnesses had progressed far enough through the compulsory acquisition process to pursue any fees for legal representation.

The Committee examined evidence relating to the process or public perceptions of the process.

2.4.1 Reimbursement of Fees and Assistance

An acquired property owner can be reimbursed for reasonable legal and land valuation fees that related to the acquisition.¹⁸⁷ DIT reimbursed legal fees (including GST where relevant) that were:

1. reasonably incurred in relation to a claim for compensation arising from property acquisition; and
2. charged at the Supreme Court Scale Rates applicable as at the date on which the relevant services were provided.¹⁸⁸

Any legal fees charged at higher rates would have to bear any difference between the amount payable to their legal representative and the amount reimbursed by DIT.¹⁸⁹

¹⁸⁴ *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, p. 6.

¹⁸⁵ Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 8.

¹⁸⁶ Legal costs reimbursed are in accordance with the Higher Courts Costs Scale, previously the Supreme Court Scale (*Submission 17*, p. 2).

¹⁸⁷ Land Acquisition, General Information on Land Acquisition, https://dit.sa.gov.au/landacquisition/what_to_expect/general_land_acquisition (accessed 26 June 2022).

¹⁸⁸ Land Acquisition, Legal and Valuation Services Fees, https://dit.sa.gov.au/landacquisition/what_to_expect/legal_and_valuation_services_and_fees (accessed 26 June 2022).

¹⁸⁹ Land Acquisition, Legal and Valuation Services Fees, https://dit.sa.gov.au/landacquisition/what_to_expect/legal_and_valuation_services_and_fees (accessed 26 June 2022).

The process under the Act, as implemented by DIT, was to provide the claimant “*with full access to services that they can engage at the government’s cost to undertake their own assessment of market value*”.¹⁹⁰

Pursuant to Section 26B of the Act, prior to the formal resolution of a claim, DIT could provide a registered proprietor an advance payment of up to \$10,000 towards professional fees relating to the acquisition of the land, including legal costs and valuation costs.¹⁹¹

Mr Braxton-Smith informed the Committee that property owners could use this funding to organise their own independent valuation “*and then we either agree on a price at the time or there is continuing discussion*.”¹⁹²

If the \$10,000 had been paid and the remaining bill exceeded this figure,

then ALL fees being claimed will need to be appropriately assessed in line with the government’s policy that they must be reasonable costs that arise naturally, reasonably and directly from the acquisition and are incurred in seeking professional advice on a person’s entitlement to compensation.¹⁹³

The Committee did not hear much evidence on reimbursement of fees and assistance. Janine from the electorate of Badcoe viewed the \$10,000 payment with scepticism, seeing it as an acknowledgement that residents needed to fight low government valuations.¹⁹⁴

2.4.2 Solatium Payment

According to Section 25A of the Act, where a registered proprietor is the occupier of the acquired property at the date the NOI is served and their principal place of residence is impacted by acquisition, they are entitled to a solatium payment. The payment is 10 per cent of the assessed market value, up to a maximum of \$50,000 and payable “*at the conclusion of negotiations when market value is agreed*”.¹⁹⁵

Michael from the electorate of Badcoe felt that owners of properties impacted by roadworks – but not compulsorily acquired – should have access to the solatium payment as a way of mitigating their reduced market value.¹⁹⁶

2.4.3 Stamp Duty

In the Committee hearing, Dr Yengin highlighted a further issue that undermined the financial assistance and compensation payments offered to property owners. She reported that current laws provided for the State Government to cover the stamp duty for owners purchasing another property within 12 months of the acquisition. Similarly, if investors’ properties were acquired, they could roll their capital gains tax over if they bought a replacement property within the same period. Dr Yengin reported that owners and lawyers interviewed in her research argued that 12 months was not enough

¹⁹⁰ Land Acquisition, Legal and Valuation Services Fees, https://dit.sa.gov.au/landacquisition/what_to_expect/legal_and_valuation_services_and_fees (accessed 26 June 2022).

¹⁹¹ Fees charged must be at the “*prevailing market rate*” (DIT, *Submission 17*, p. 2); Legal Services Commission of South Australia, *Compensation*, <https://lawhandbook.sa.gov.au/ch28s02s10s03.php> (accessed 2 November 2021). See also Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 18.

¹⁹² Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 18

¹⁹³ *Submission 17*, p. 2.

¹⁹⁴ Janine, *Submission 13*, Row 20.

¹⁹⁵ DIT, *Submission 17*, p. 2.

¹⁹⁶ Michael, *Submission 13*, Row 35.

in some cases, meaning that those who could not purchase a property within this timeframe were left financially disadvantaged.¹⁹⁷

Dr Yengin highlighted how a combination of factors could delay an owner from purchasing a property later than the 12-month timeframe:

currently the property market is very hard, there are a lot of shortages of houses and high competition, so people may not be able to buy a replacement property, so their stamp duty will not be covered by the government and, of course, there are personal reasons such as illness or work reasons as to why people may not buy in time.¹⁹⁸

She further stated, “*maybe the suggested recommendation was to have a more reasonable timeframe, maybe up to two years.*”¹⁹⁹

Stamp duty was an ongoing issue, first raised in the 2017 Select Committee into compulsory acquisition of properties in the North-South Corridor. The Committee recommended that “*With regard to the compulsory acquisition of business premises, [DPTI] allow some flexibility for stamp duty concessions.*”²⁰⁰

Two submissions to the Inquiry expressed concern about stamp duty.

- Mr Cheng Chang requested that the provisions for stamp duty should be extended from one to two years because the compulsory acquisition process would create a supply and demand problem. He described a potential scenario of approximately 400 displaced property owners potentially competing for homes in the same area at the same time.²⁰¹
- Mr Peter and Mrs Leanne Gordon questioned the one-year timeframe in a real estate climate where demand outstripped supply.²⁰²

2.4.4 Reduced Property Value

At the hearing on 16 December 2021, Hon John Darley MLC, the former Valuer-General, told the Committee that areas were “*blighted*” as soon as DIT announced property acquisitions in the area. From that point on, he asserted property owners “*cannot sell those properties*”, given the difficulties arising from wide publicity of roadworks. He highlighted a particular issue with lengthy projects such as those on South Road.²⁰³

Dr Yengin’s research supported the finding that neighbouring properties suffered a drop in market value when nearby properties were compulsorily acquired. She told the Committee in the hearing that houses that were now next to major roads after demolitions and roadworks would fetch a lower price on the market than another house on the same street if purchased or acquired. Without compensation for the reduced market value, she thought people in this situation would struggle to find a like-for-like property in their neighbourhood. In her view, “*perhaps those [changes] are for legislation ... to consider.*”²⁰⁴

¹⁹⁷ *Committee Hansard*, 16 December 2021, p. 26.

¹⁹⁸ *Committee Hansard*, 16 December 2021, p. 26.

¹⁹⁹ *Committee Hansard*, 16 December 2021, p. 26.

²⁰⁰ *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, p. 5.

²⁰¹ Mr Cheng Chang, *Submission 2*, p. 1.

²⁰² Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 4.

²⁰³ Hon John Darley, *Committee Hansard*, 16 December 2021, p. 1.

²⁰⁴ *Committee Hansard*, 16 December 2022, p. 27.

Submitters demonstrated great concern for the value of their properties due to roadworks in their suburbs:

- Mr Peter Mourdoukoutas' property had two properties acting as a buffer between his home and South Road, approximately 120 metres away. After the roadworks, his property would face a four-metre sound barrier with South Road 18 metres away. He claimed the roadworks would "*adversely affect the value of our properties along Jervois Avenue.*" He reported that he did not believe he would be entitled to compensation, despite changes.²⁰⁵
- Mr Shane Mulraney of Everard Park's property was located by the proposed Anzac Highway flyover. Given the reduction in privacy, blocked view and lack of sound barrier, he firmly believed the value of his property "*will most likely take a nosedive.*"²⁰⁶
- Mr Sandercock and Ms Nesha Sathurayar, current residents of Flinders Park, expressed concerns about their rental property's drop in value. The proposed elevated roadway over the River Torrens would leave their property alone on the block without a house on its rear boundary. They were concerned that their rental income would suffer: "*With the anticipated construction works taking several years we will in all likelihood loose [sic] that income if we are unable to find tenants for the house during that building phase, or at the very least a much-reduced rental rate for a very long period of time.*"²⁰⁷
- Mr George Czerwinski provided evidence that neighbourhood properties reduced in value due to the T2T works. When trying to obtain a council valuation for his mother-in-law's property, he found "*Every land agent told us the same thing, the wall had devalued the properties!*"²⁰⁸
- Survey respondents from the electorate of Badcoe reflected similar sentiments to individual submitters:
 - Samantha was concerned that the process had "*generally devalued Mile End*";²⁰⁹
 - Jennifer was "greatly concerned about our property value being negatively impacted";²¹⁰
 - Joanne worried that a 10-lane roadway outside her street would reduce the value of property prices;²¹¹
 - Lesley was concerned the value of her house would "*decrease exponentially*";²¹²
 - Paul worried about the impact of the new road on the value of his home;²¹³
 - Lorraine was distressed that the flyover would "*negatively impact*" the value of prices in her area;²¹⁴

²⁰⁵ Mr Peter Mourdoukoutas, *Submission 10*, p. 1.

²⁰⁶ Mr Shane Mulraney, *Submission 15*, p. 1.

²⁰⁷ Mr Jason Sandercock and Ms Nesha Sathurayar, *Submission 3*, p. 1; Nesha, *Submission 13*, Row 4.

²⁰⁸ Mr George Czerwinski, *Submission 16*, p. 2.

²⁰⁹ Samantha, *Submission 13*, Row 5.

²¹⁰ Jennifer, *Submission 13*, Row 7.

²¹¹ Joanne, *Submission 13*, Row 11.

²¹² Lesley, *Submission 13*, Row 23.

²¹³ Peter, *Submission 13*, Row 24.

²¹⁴ Lorraine, *Submission 13*, Row 31.

- Michael's biggest concern was that his property had *"already been significantly de-valued"* because he wanted to move out of the area;²¹⁵
- Aaron was convinced his property would decrease in value because of the flyover to be positioned in front of it and would have preferred to be compulsorily acquired;²¹⁶
- Anne had similar concerns about the negative impact on houses not being acquired, questioning the lack of compensation for remaining properties that would be closer to the sound walls or motorway;²¹⁷
- Julie feared the design would devalue her neighbourhood and property value;²¹⁸
- Louie was concerned that the value of his area would decrease from the roadworks;²¹⁹
- Stephen was concerned his property value would drop because it would face the Anzac Highway flyover;²²⁰
- Aaron believed the roadworks would significantly affect house prices because nobody would want to live underneath a bridge: *"We are not trolls!"*; and²²¹
- Michelle was concerned about her property value, having gone from living in a street filled with character homes and a Scout Hall to one of only two houses left standing. She could not sell her home for profit but did not want to stay. *"We are absolutely devastated and know that we have suffered a substantial loss to our property value and lifestyle – without being able to seek any compensation."*²²²

2.4.5 Other Costs

At the public hearing, Dr Yengin raised a point regarding additional costs that arose from the time in the compulsory acquisitions process that property owners received their compensation payment. She told the Committee that the interviewees in her research reported financial stress because they could not access this money to finance a new home until after they vacated the property. Dr Yengin reported a theme in her findings:

some recommendations that were provided to us were maybe that the government should give a deposit like 20 per cent of the initial offer or provide the initial offer and a negotiated amount can be given at a later stage. So the idea is to give the money to people before they have to move out of their properties.²²³

This was similar to a recommendation in a 2017 Select Committee report into compulsory acquisition of properties in the North-South Corridor which sought to address the same consequences of payment late in the process:

7. To establish a more equitable relationship between DPTI and owners whose properties are subject to compulsory acquisition and their representatives, professional fees for legal

²¹⁵ Michael, *Submission 13*, Row 35.

²¹⁶ Aaron, *Submission 13*, Row 45.

²¹⁷ Anne, *Submission 13*, Row 46.

²¹⁸ Julie, *Submission 13*, Row 51.

²¹⁹ Louie, *Submission 13*, Row 59.

²²⁰ Stephen, *Submission 13*, Row 26.

²²¹ Aaron, *Submission 13*, Row 45.

²²² Michelle, *Submission 13*, Row 58.

²²³ *Committee Hansard*, 16 December 2021, p. 27.

*and accountancy services should be reimbursed on a pro rata basis, not retained by the Department until settlement.*²²⁴

Although the witnesses and submitters in this Inquiry were not at the point of receiving compensation, they were concerned about incurring additional costs that would undermine DIT's financial assistance.

Mr Peter and Mrs Leanne Gordon identified future financial outlays in inconvenience and time costs, as well as budgetary costs including changing schools or changing passport details.²²⁵

Mr Peter Mourdoukoutas highlighted the impact that compulsory acquisition of a home had on other members of a family. His elderly parents' home of 50 years in Jervois Street, West Hindmarsh, was to be acquired. Mr Mourdoukoutas and his wife lived across the street but DIT did not require their home. To reduce his parents' anxiety at moving from the community they had lived in all their lives, he decided to offer them his home of 21 years. This would force him and his wife to relocate to another area. He stated it would "*cripple us financially and we will have to put off our retirement plans by 15 years in order to keep working to service our mortgage*". It would also place additional pressures on them in commuting further to exercise their carer duties such as ensuring they take medication, shopping for them, driving them to medical appointments. It would also slow their ability to be as responsive to their needs. Mr Mourdoukoutas was offered no compensation.²²⁶

In their submission, Mr Gregg Ryan and Ms Catherine Cashen of SRIWAG voiced their concern for residential tenants in properties to be compulsorily acquired. They stated that DIT should "*cover all reasonable and necessary expenses incurred by parties impacted by acquisition*", particularly using the resources of the South Australian Housing Trust to assist with relocating vulnerable tenants.²²⁷

Residents in the electorate of Badcoe listed a variety of costs that could undermine financial assistance provided through compensation payouts:

- Christine cited removal and relocation costs, conveyancing, legal fees, independent valuations, housing if required while finding a home, stamp duty and other purchasing costs. She also asserted that she should be able to live rent-free without paying council rates in her home until the government needed her home.²²⁸
- Michael felt that owners of properties impacted by roadworks – but not compulsorily acquired – should have access to the solatium payment to offset the de-valuing of his property.²²⁹
- Heather highlighted that DIT was going to require residents to pay rent in their acquired homes until it was demolished for the project. This requirement was revoked.²³⁰

2.5 Reference Design Works

At the end of 2021, the T2D Reference Design was completed on schedule (see Section 1).²³¹ It establishes road alignment, tunnel layouts and motorway access points. The design models

²²⁴ *Report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade*, Legislative Council, 2017, p. 5.

²²⁵ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 3.

²²⁶ *Submission 10*, p. 1. See also Peter, *Submission 13*, Row 40.

²²⁷ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 3.

²²⁸ Christine, *Submission 13*, Row 10.

²²⁹ Michael, *Submission 13*, Row 35.

²³⁰ Heather, *Submission 13*, Row 56.

²³¹ DIT, *North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations, Quarterly Report* [1 October 2021-31 December 2021], p. 2.

motorway performance and identifies locations for laydown areas (spaces needed to store construction materials and equipment).

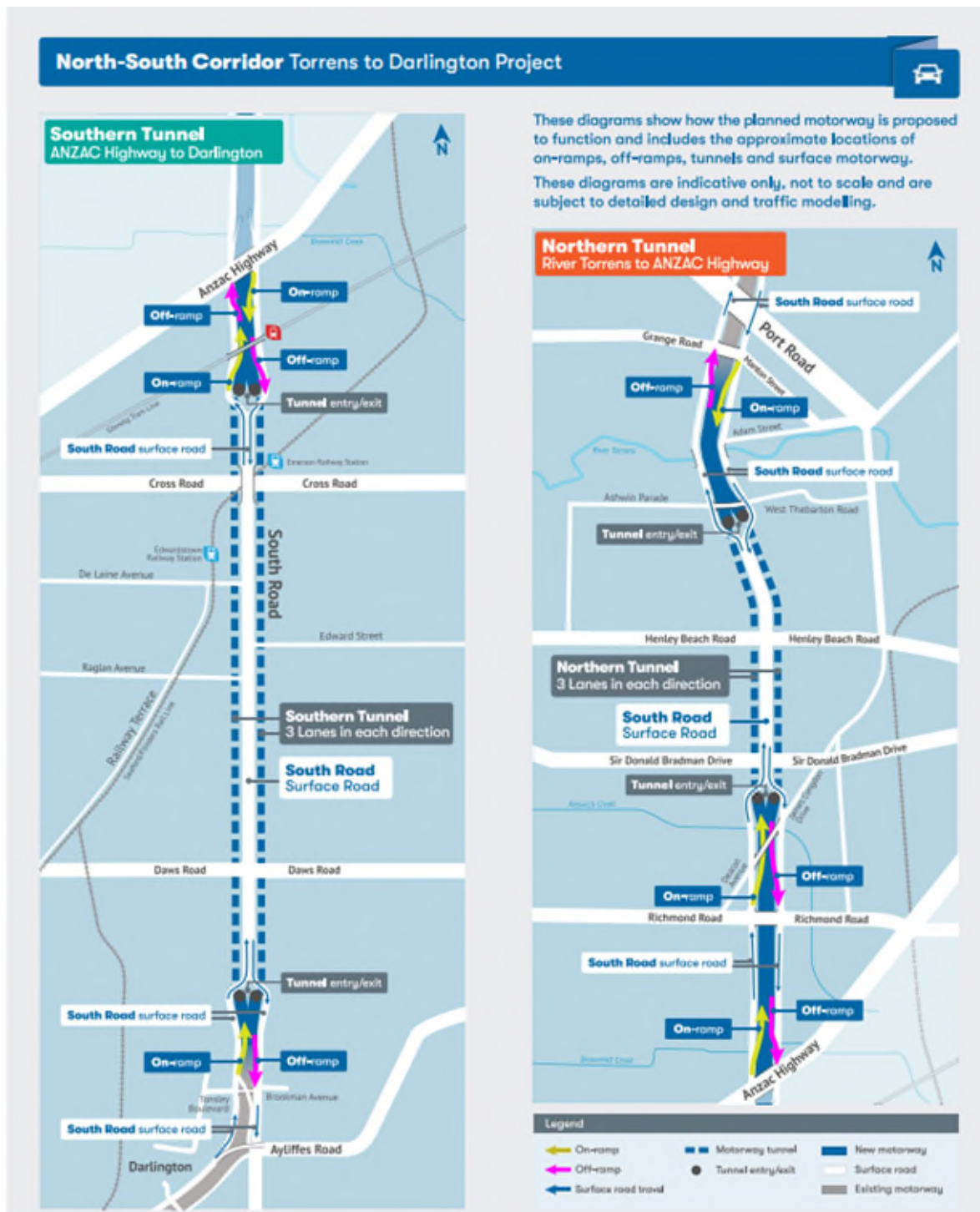
In developing and informing the project's Reference Design, DIT announced on its website that it undertook extensive investigation and studies across areas such as noise, geology, air quality, soil, groundwater and traffic. It also "*engaged broadly with key stakeholders to understand the issues that matter most to them to further inform the design process.*"²³²

Initially, DIT provided the community with a high-level motorway access diagram to conduct a survey and engage with the community. Without a Reference Design at this point, the community could only comment on the elements of the design DIT provided through this diagram (see Figure 10 below).²³³

²³² DIT, *Torrens to Darlington (T2D) Reference Design December 2021*, https://dit.sa.gov.au/_data/assets/pdf_file/0008/958418/Reference_Design_-_Fact_Sheet_Dec2021.pdf (accessed 27 June 2022), p. 1.

²³³ See Section 2.6 on the consultation process.

Figure 10 - Motorway Access Diagram Presented to Community During Engagement Process

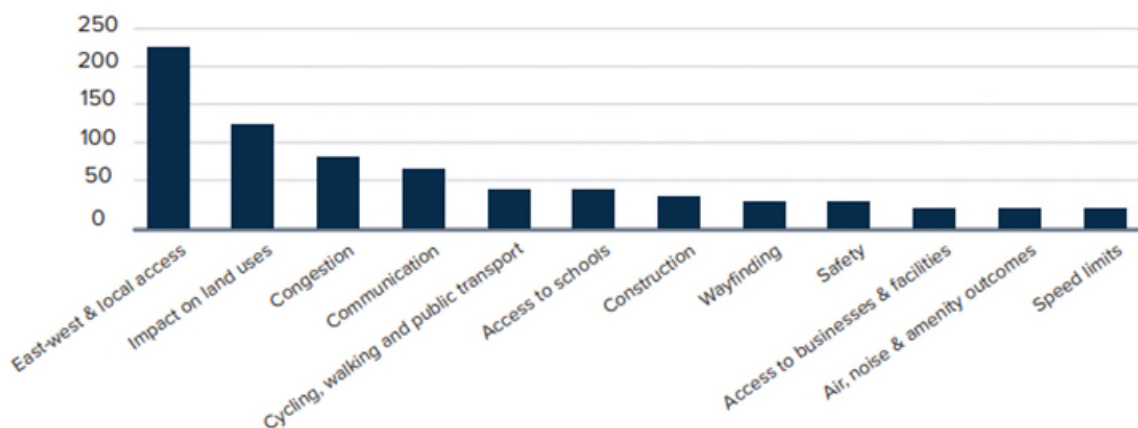


Source: DIT, T2D Torrens to Darlington: Community Engagement Report, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DATE_UPDATE.pdf (accessed 28 June 2022), p. 7.

According to the engagement report, more than 75 per cent of survey respondents indicated a positive attitude towards the T2D project. More than 80 per cent indicated that the design would make it easier to travel longer distances, while more than 50 per cent indicated that the motorway access points would make it easier to get to local destinations.²³⁴

Out of 1,966 survey responses about the motorway access diagram, 749 focused on design and construction. DIT created the following chart collating the high-level themes discussed in the survey.

Figure 11 - Themes of Comments about Design and Construction in DIT Community Survey Conducted in July 2021.



DIT analysis grouped the themes into the following categories:

- Number of motorway lanes (27) – the majority supported at least three lanes each way in the motorway or requested more lanes. Eight suggested four lanes each way. Two requested a limit of two lanes to reduce impact on adjoining land uses. Several respondents felt there were safety and/or congestion issues;
- Wayfinding (24) – most requested clear signs, simple design and adequate time for motorists to make decisions and change lanes;
- Safety (23) – concerns related to the safe design and operation of the tunnels, emergency systems, breakdown lanes and exits in the event of an accident. Some respondents were interested in ensuring that merge lanes and ramps were safe, clearly separated and of adequate length, and that tunnels were designed to withstand heavy vehicles and earthquakes;
- Access to business and facilities (16) – comments related to access to businesses and facilities on or close to South Road including the loss of right turns, impacts on business and accessibility of services. Sites of concern included the Brickworks, Black Forest Shopping Centre and the Bell Tower Centre;

²³⁴ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 3.

- Air, noise and amenity outcomes (13) – nine comments related to traffic noise and ventilation from the tunnels. Four related to trees, visual amenity and culture; and
- Speed limits (12) – eight respondents felt that limits should exceed 100km/h, three felt they should exceed 80km/h and one felt that 80km/h should be the maximum.

Access in and out of local areas and to local facilities attracted 239 comments:

- Many related generally to the need to maintain east-west access for commuting into the CBD and/or accessing facilities and private properties;
- Assumed loss of right turns was also a concern to many in relation to areas of the lowered motorway;
- Many comments related specifically to Black Forest and Glandore, with key concerns relating to lack of access and egress options exacerbated by the rail and tram lines, and connectivity between the two suburbs;
- Many comments related to east-west access north of Anzac Highway, with key connections of concern being Barwell Avenue/Everard Avenue, Ashwin Parade/West Thebarton Road, Henley Beach Road and Richmond Road;
- Some comments related to east-west connectivity between Clovelly Park and St Marys, particularly Celtic Avenue, Selgar Avenue, connectivity to Tonsley and access into St Marys; and
- Some comments related to the Edwardstown area and the opportunity to improve existing east-west connections such as Edward Street/Raglan Avenue and connections to Castle Plaza, as well as north-south flow of traffic.²³⁵

The remainder of survey comments on design and construction related to the Southern and Northern tunnel connectivity (see Section 2.7 for discussion on alignment and position of tunnel portals).

According to DIT's engagement report published in August 2021, analysis of the feedback from the survey, roadshows and pop-up initiatives revealed the following top five areas of concern raised by the community:

- Land acquisition;
- Project design and alignment;
- Project timing;
- Local access; and
- Construction impacts.²³⁶

²³⁵ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 17.

²³⁶ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 2.

Locations of concern focused on the area between Anzac Highway and Cross Road, alignment and location of on/off ramps, and increasing traffic from the South-Eastern freeway down Cross Road to access the new motorway.²³⁷

Residents expressed concerns about the potential impact of the T2D upcoming works on their properties and neighbourhoods.

- Ms Robyn Myers lived in the Aveo Retirement village. She was concerned that the *“noise level will increase dramatically”* for her outdoor area and the units when the flyover was constructed. The flyover would also block the afternoon sun which would create issues for Robyn’s solar panels and pose a health risk for the elderly whose units would be *“cold with no natural sunlight.”* She argued that the government had a duty of care for the residents’ safety. She also expressed concern that Aveo was not fully disclosing the T2D project and its consequences to new residents of the village.²³⁸
- Mr Peter Andresakis predicted that its construction would cause *“devastation”* for residents adjacent to the sound wall and the western side of Jervois Avenue. He questioned the need for a 66-metre roadway wider than many other sections facing north of the corridor. Mr Andresakis argued that an extension of the existing wall all the way to the River Torrens would have been sufficient and *“conceivably would save all the homes along Jervois Avenue whilst only sacrificing limited properties on the eastern side of the aligned wall.”* He also identified the potential *“decimation”* of eucalyptus trees, mature gum trees and other native vegetation providing habitats for local wildlife if the green corridor along the Torrens and open greens spaces at West Hindmarsh was demolished for the current plan.²³⁹
- Mr Jason Sandercock and Ms Nesha Sathurayar, current residents of Flinders Park, expressed concerns about the impact to their rental property. The proposed elevated roadway over the River Torrens would leave their property alone on the block without a house on its rear boundary. The couple stated in their submission that the Reference Design would not restore the property’s full value and aesthetics even after works were completed.

Once construction is completed and the surrounding area returned to green space as proposed in the plans, the aesthetics of the house and its yard will be severely compromised with the large noise walls to be built behind and possibly to the side of the property. The outside yard space is very small ... and having a high noise wall behind will negatively affect any residents with reduced sunlight especially in the mornings.²⁴⁰

DIT’s policy was to notify property holders about compulsory acquisitions prior to releasing the full Reference Design. Residents and the community were upset they could not access the Reference Design.

- Mr Peter Mourdoukoutas described DIT’s failure to release the Reference Design as *“simply ludicrous and borders on maladministration by those involved”*.²⁴¹

²³⁷ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 2.

²³⁸ Ms Robyn Myers, *Submission 5*, p.1. See also Robyn, *Submission 13*, Row 25.

²³⁹ Mr Peter Andresakis, *Submission 4*, pp. 1, 2.

²⁴⁰ Mr Jason Sandercock and Ms Nesha Sathurayar, *Submission 3*, p. 1.

²⁴¹ Mr Peter Mourdoukoutas, *Submission 10*, p. 1. See also Peter, *Submission 13*, Row 40.

- Kate and Chris Lockyer argued that they had no way of understanding the impact to their daily access without seeing the full design. They would have preferred access to all the information at once for greater understanding and clarity. *“Just show us the full plans, not nice artists impressions that don’t include the very high emission stacks that will be in our area or exact access roadways.”*²⁴²
- A total of 55 out of 59 respondents in the survey conducted in the electorate of Badcoe responded ‘Yes’ to a question asking whether respondents wanted to see the full Reference Design immediately.²⁴³ Many residents added their own specific comments:
 - Joanne stated that the *“impacts have not been effectively communicated using the guise of land acquisitions”*. Her survey response argued that DIT had *“not tried”* to inform as many people as possible, particularly the households remaining that would endure the roadworks and the eventual outcome.²⁴⁴
 - The timing also promoted mistrust in the community. Kate from the electorate of Badcoe reported that rumours about the acquisitions circulated for weeks. She was contacted by DIT who could not confirm any acquisitions, informing her they were still in the design phase. *“The acquisition notices were sent out the NEXT day so clearly they knew.”*²⁴⁵
 - An inability to view the Reference Design left Vicky asking, *“will my property be bulldozed for a pretty tree path?”*²⁴⁶
 - Catherine stated that *“We were asking for reference design plans early on to try and express an opinion but we’re told it hadn’t been finalised yet. Surely it is best to consult before final decisions are made.”*²⁴⁷
 - Michelle described keeping the Reference Design away from the community as *“secretive, disrespectful, harmful behavior [sic].”*²⁴⁸
 - Emily argued that the community was not given the opportunity to provide any input because they could not *“engage fully in a vacuum”*.²⁴⁹
 - Lorraine from the electorate of Badcoe said the refusal to share the Reference Design in time for residents to contribute meaningful submissions to this Inquiry *“shows a blatant disregard for local residents”*.²⁵⁰

At the time of their submission, the SRIWAG representatives could not access the Reference Design. However, they had seen it by the time of the public hearing. Ms Cashen told the Committee that *“The northern tunnel is too short. It should be extended north to run under the River Torrens to join the Torrens-to-Torrens expressway.”* She argued that extending the tunnel would negate the need to build a costly new aerial bridge and would deliver lower impact connection into the already completed

²⁴² Kate and Chris Lockyer, *Submission 11*, p. 1.

²⁴³ *Submission 13*.

²⁴⁴ Joanne, *Submission 13*, Row 11.

²⁴⁵ Kate, *Submission 13*, Row 33.

²⁴⁶ Vicky, *Submission 13*, Row 34.

²⁴⁷ Kylie, *Submission 13*, Row 55.

²⁴⁸ Michelle, *Submission 13*, Row 58.

²⁴⁹ Emily, *Submission 13*, Row 17.

²⁵⁰ Lorraine, *Submission 13*, Row 31.

corridor, allowing two expressways to mesh. Six lanes of the T2D would join directly with six lanes of the T2T.²⁵¹

Ms Cashen criticised the Reference Design as “flawed and outdated, a document that ... fails to incorporate ... the value of community assets, connectivity, green space and the impacts of climate change.”²⁵²

Submitters and witnesses had significant concerns on the shortcomings of the elements of the design they could access:

- Mr Peter Gordon and Mrs Leanne Gordon questioned how DIT determined future traffic flow through the Glandore section of the North-South Corridor, the need for three lane tunnels, and a flyover at South Road and Anzac Highway were necessary. They criticised that action had not been taken to address the congestion of the Cross Road -South Road intersection.²⁵³
- Mr Scott Rouse expressed concern that the proposed length of a 10km tunnel presented potential air quality, smoke hazard management challenges and emergency services access in the event of a fire.²⁵⁴
- Mr Luigi Rossi, Director of Luigi Rossi and Associates, stated in his submission that

the critical and fundamental issue with the current scheme is the 4.2km (approximate) of the lowered motorway when combined with the four portals, which have, as a consequence, significant impacts on homes, business, land and services. When combined with the severance between east and west, the proposal is unsustainable in terms of its social and environmental impacts.

Mr Rossi submitted an alternative proposal incorporating a 6km tunnel from the River Torrens to before Cross Road.²⁵⁵ He also provided examples of integrated urban design for elevated structures.²⁵⁶

- Joanne from the electorate of Badcoe felt the concept designs provided inadequate indication of portals and other structures near her property, while depicting an overall loss of community amenities.²⁵⁷
- Elizabeth from the electorate of Badcoe expressed anger that she would lose her home for DIT to build a 15-metre ventilation stack in a heritage-listed suburb with six-metre height restrictions. She also disliked the aesthetics: “*its [sic] so ugly ... fly overs tunnels, sunken roads ... it's a dog's breakfast!*”²⁵⁸
- Mary-Ann and Stephen from the electorate of Badcoe criticised the Darlington part of the project as a “*mix-match of designs, like some 5-year-old boy is having fun with his Lego and mechano [sic] sets*”, citing a lack of substance, inconsistency, and an excess of byways and over/underpasses.²⁵⁹

²⁵¹ Submission 12, p. 2.

²⁵² Ms Cashen, *Committee Hansard*, 16 December 2021, p. 42.

²⁵³ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 3, 4.

²⁵⁴ Mr Scott Rouse, *Submission 1*, p. 1.

²⁵⁵ Mr Luigi Rossi, *Submission 7a*, p. 1.

²⁵⁶ Mr Luigi Rossi, *Submission 7b*, p. 1.

²⁵⁷ Joanne, *Submission 13*, Row 11.

²⁵⁸ Elizabeth, *Submission 13*, Row 15.

²⁵⁹ Mary-Ann and Stephen, *Submission 13*, Row 30.

- Paul, Anne and Robert from the electorate of Badcoe thought the flyover would worsen congestion on Anzac Highway between South Road and the city, due to the need for traffic to merge rather than act under the control of traffic lights.²⁶⁰ Matthew thought that congestion would bottleneck on Greenhill Road instead.²⁶¹
- Adrian from the same electorate expressed similar sentiments, describing maps and plans that provided poor details.²⁶² Catherine needed to see a larger format before she could understand the intended outcome.²⁶³
- Lorraine questioned why the proposal elected to build on the leafy residential side of the River Torrens instead of the commercial side which contained empty buildings. She believed this would have minimised impact to residents.²⁶⁴ Kate from the electorate of Badcoe, and Mr Peter and Mrs Leanne Gordon also questioned this rationale, arguing that the vacant Hills Industries site would be more appropriate to acquire rather than residential homes.²⁶⁵
- Mr Kevin Schofield reported the Southern Tunnel's Community Reference Group's concerns about the effects of concentrating so much pollution in one place. The reference stack design proposed a 15m stack with a discharge velocity of 6.1m/s, in accordance with Civil Aviation Safety Authority (CASA) regulations pertaining to Adelaide airspace. Mr Schofield found it noteworthy that "*the exact parameters chosen by the Department are those that avoid the project having to go through a CASA approval process.*" He advised that the Department's pollution results were "*not to be trusted*".²⁶⁶
- Mr Peter Mourdoukoutas objected to the elevated roadways he believed would destroy the character of Adelaide's inner suburbs. He argued against creating an overpass slip lane to the Grange Road exit because one already existed before the current underpass began on South Road and that it was not an area of high congestion. In his opinion, congestion occurred when southbound vehicles exited the underpass on South Road and approached the Torrens River. He attributed blame to traffic lights at Ashwin Parade at the Brickwork intersection, stating that there would be no problem and thus no need to acquire land once other parts of the project dealt with the Ashwin Parade traffic lights.²⁶⁷
- Mr Shane Mulraney asserted that the Anzac Highway "*concrete monolith*" was "*not needed*", serving no purpose other than moving traffic problems closer to the CBD. He believed that congestion would occur on the flyover during peak periods and that residents would suffer from exhaust fumes.²⁶⁸
- Mr Jason Chigwidden questioned the following elements in his submission:
 - the absence of publicly available modelling justifying the flyover;
 - the composition of expected traffic on the flyover (e.g., passenger numbers/vehicle type) and whether improved public transport would solve any issues;

²⁶⁰ Paul, *Submission 13*, Row 24; Anne, Row 46; Robert, Row 57.

²⁶¹ Matthew, *Submission 13*, Row 52.

²⁶² Adrian, *Submission 13*, Row 19.

²⁶³ Catherine, *Submission 13*, Row 55.

²⁶⁴ Lorraine, *Submission 13*, Row 31.

²⁶⁵ Kate, *Submission 13*, Row 33; Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 3.

²⁶⁶ Mr Kevin Schofield, *Submission 8*, p. 4.

²⁶⁷ Mr Peter Mourdoukoutas *Submission 10*, p. 1.

²⁶⁸ Mr Shane Mulraney, *Submission 15*, p. 1.

- the nature of safety issues regarding traffic “banking up” in the tunnel, whether changeable speed signs or changing ventilation models would address the situation; and
- DIT’s ability to adequately explain guarantee why vehicles would not bank up on the flyover and eventually in the tunnel with increased demand, given that traffic on Anzac Highway was already congested and not being widened.²⁶⁹

2.6 Consultation Regarding Design, Works, Interruptions and/or Acquisitions

At the time of the Inquiry, the T2D project had not progressed far enough to provide the Inquiry with evidence of consultation regarding works, interruptions or acquisition. However, land acquisition was one of the top areas of concern raised by the community in DIT’s T2D engagement campaign.²⁷⁰ Most of the evidence presented to the Committee discussed consultation regarding the Reference Design.

2.6.1 Engagement Campaign

During June and July 2021, DIT conducted an engagement campaign as part of the planning processes with the following objectives:

- Gather feedback on the proposed motorway functionality, community priorities and concerns to inform the Reference Design and City Shaping Strategy;
- Build community awareness of the T2D Project; and
- Promote completion of the T2D community survey.²⁷¹

During the campaign, DIT communicated information to the community (see section 2.2) and engaged with them in the following ways:

- Roadshows at the Brickworks, Westfield Marion and Castle Plaza with 16 pop-ups and 11 static displays at local shops, schools, cafes, councils and libraries;
- Events targeted local foot traffic and enabled community members to view the high-level diagram, ask questions and sign up for project updates;
- Provided fact sheets and surveys in hard copy in person;

The process generated 1,368 conversations with local businesspeople and residents at the roadshows, and 126 conversations at the pop-ups.²⁷² A further 104 people provided feedback via an

²⁶⁹ Mr Jason Chigwidden, *Submission 14*, p. 1.

²⁷⁰ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 2.

²⁷¹ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 2.

²⁷² DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 9 (see also Appendix C).

online Community Value Map, which used Social Pinpoint to understand location-specific perspectives.²⁷³

On 8 July 2021, DIT released the high-level diagram outlining the approximate locations of on-ramps, off-ramps, tunnels and the surface motorway (see Figure 10 above). It used this to conduct a community survey that generated over 3,600 community responses. The survey focussed on five key aspects:

- Current use of South Road;
- Feedback on the proposed motorway on/off ramps;
- Priorities for improvements to South Road and surrounding areas;
- Aspects of community concern for priority management through the life of the Project; and
- Community sentiment.

The results of the engagement initiative were collated into the T2D ‘*Community Engagement Report*’ with the intention to “*help us further refine and finalise the project designs*”.²⁷⁴

Even after the Reference Design was released in December, DIT extended the feedback period to mid-January 2022 by encouraging more people to complete the survey.²⁷⁵

Witnesses and submitters expressed to the Committee their disappointment in the engagement campaign and consultation process:

- One member of a Community Reference Group criticised DIT’s community survey for being too simplistic, not posing enough open-ended free text questions and failing to ask about the use of community assets. She said the survey “*felt manipulated to provide answers that they [DIT] sought*”.²⁷⁶ Megan from the electorate of Badcoe also criticised the survey, claiming it lacked context without more detail.²⁷⁷ Kylie from the electorate of Badcoe could not answer the survey due to the poor quality of the map provided.²⁷⁸
- Kylie from the electorate of Badcoe could not find the pop-up information stall at Castle Plaza.²⁷⁹
- Joanne from the electorate of Badcoe highlighted the poor organisation of the information stall at the Brickworks. DIT gave only three days’ notice and ran the stall over a long weekend when many locals travel away from home. She raised her concerns with DIT which acknowledged that the response rate was “*low*”. Moreover, she questioned the lack of a physical letterbox drop to provide information to residents who were not connected to the

²⁷³ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DATA_UPDATE.pdf (accessed 22 June 2022), p. 9 (see also Appendix C).

²⁷⁴ DIT, *T2D Survey Feedback Results*, https://dit.sa.gov.au/nsc/torrens_to_darlington/project_documents/community_survey (accessed 23 May 2022).

²⁷⁵ DIT, *Have a Safe and Enjoyable Holiday Season*, https://dit.sa.gov.au/_data/assets/pdf_file/0009/1025838/Were_extending_our_feedback_period_to_mid-January_2022_-_December_2021.pdf (accessed 23 May 2022).

²⁷⁶ Joanne, *Submission 13*, Row 11.

²⁷⁷ Megan, *Submission 13*, Row 32.

²⁷⁸ Kylie, *Submission 13*, Row 54.

²⁷⁹ Kylie, *Submission 13*, Row 54.

Internet. Joanne argued that her street had not been doorknocked at all. She wanted to be involved in the significant parts of the project, not “*what colour the wall will be*”.²⁸⁰

- Mr Peter Andresakis stated in his submission that “*The entire consultative process has been very disappointing, devoid of information and substantive material for critical community analysis*”.²⁸¹ He argued that DIT did not sufficiently justify “*the necessity, in our opinion, of an excessively engineered road way [sic] adjacent Jervois Avenue where an extension of the existing wall all the way to the River Torrens would suffice.*” Mr Andresakis acknowledged that the T2D project was important for the state but believed that “*legitimate compromise and genuine consultation*” might have saved more properties or given hope to owners involved in the process.²⁸²
- Mr Peter and Mrs Leanne Gordon stated that “*DIT’s lack of meaningful engagement, care or concern is disgraceful. ... There has been no consultation.*” They questioned why one of the biggest state infrastructure projects had not provided meaningful consultation. “*We all pay, but get no say.*”²⁸³
- At the public hearing, Ms Cashen of SRIWAG echoed this “*lack of community confidence and trust how DIT has and is engaging with the community.*”²⁸⁴ Their submission acknowledged the necessity of DIT’s engagement strategy but criticised it as superficial.²⁸⁵ At the hearing, representatives accused DIT of espousing positive community engagement policies and practises that were “*vastly different from our experience with them*”.²⁸⁶ They accused DIT of not exercising “*meaningful consultation*”, acting contrary to the State Government’s Better Together principles for community engagement and the Premier’s Circular 36 for ‘Best Practice Stakeholder Engagement’.²⁸⁷

The survey from the electorate of Badcoe also painted a negative picture of the residents’ experience of DIT’s consultation process:

- Samantha described the process as “*a tick-box exercise with no intention of actually listening to community concerns*”;²⁸⁸
- Jason described a lack of consultation and questions answered by the Project Team. He felt that DIT should hold community engagement sessions;²⁸⁹
- Jennifer stated that more consultation needed to be undertaken;²⁹⁰

²⁸⁰ Joanne, *Submission 13*, Row 11.

²⁸¹ Mr Peter Andresakis, *Submission 4*, p. 2.

²⁸² *Submission 4*, p. 2.

²⁸³ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 2, 4.

²⁸⁴ *Committee Hearing*, 16 December 2021, p. 41.

²⁸⁵ *Submission 12*, p. 5.

²⁸⁶ Ms Cashen, *Committee Hansard*, 16 December, p. 41.

²⁸⁷ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 4. See also Government of South Australia, *Better Together: Principles of Engagement*, https://www.bettertogether.sa.gov.au/principles-overview/Better-Together-Handbook_sm.pdf (accessed 1 June 2022); Department of the Premier and Cabinet, Premier and Cabinet Circular: PC 036 – Best Practice Stakeholder Engagement, effective from June 2019, <https://www.dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars/PC036-Best-Practice-Stakeholder-Engagement.pdf> (accessed 1 June 2022).

²⁸⁸ Samantha, *Submission 13*, Row 5.

²⁸⁹ Jason, *Submission 13*, Row 6.

²⁹⁰ Jennifer, *Submission 13*, Row 7.

- Ali claimed that genuine consultation was not intended and “*limited to lip service*”;²⁹¹
- Brenton described “*very limited consultation at best*”;²⁹²
- Adrian criticised DIT representatives for not providing information pertinent to local residents;²⁹³
- Jeff said he had “*not been consulted*” nor informed;²⁹⁴
- Sharon claimed that community consultation was a “*catch phrase*” only;²⁹⁵
- Emily believed residents had provided information during the consultation process but it could not be meaningfully analysed or collated without options or drafts published for comment. “*We’re all guessing and stabbing in the dark*”;²⁹⁶
- Shannon similarly stated that residents could share their view but did not believe they had been incorporated. To him, consultation was “*a box ticking exercise*”;²⁹⁷
- Paul asserted there had been no consultation. “*Consultation is NOT meetings etc that are held after decisions and announcements have been made.*”;²⁹⁸
- Wally felt including community in the consultation process was a “*token gesture*” and that the T2D project would be implemented regardless of their input;²⁹⁹
- Michelle similarly stated that she had provided her views but felt the decisions were already made;³⁰⁰
- Rob felt there was “*limited capacity for land owners to have effective input*”; and³⁰¹
- Catherine said that consultation “*at all levels have [sic] not been well handled*”.³⁰²

Dr Yengin’s evidence at the Committee hearing reflected similar sentiments, arguing that DIT’s consultation process did not constitute true engagement and contributed to a sense of local powerlessness. According to Dr Yengin, members of the community:

didn’t feel that their feedback was taken into account or collected. Maybe it was, but they didn’t know about it. There should be communication after these information sessions or community consultations about how their feedback was evaluated or, if it was not taken into account, what was the reason, etc.³⁰³

²⁹¹ Ali, *Submission 13*, Row 13.

²⁹² Brenton, *Submission 13*, Row 18.

²⁹³ Adrian, *Submission 13*, Row 19.

²⁹⁴ Jeff, *Submission 13*, Row 42.

²⁹⁵ Sharon, *Submission 13*, Row 16.

²⁹⁶ Emily, *Submission 13*, Row 17.

²⁹⁷ Shannon, *Submission 13*, Row 21.

²⁹⁸ Paul, *Submission 13*, Row 24.

²⁹⁹ Wally, *Submission 13*, Row 28.

³⁰⁰ Michelle, *Submission 13*, Row 29.

³⁰¹ Rob, *Submission 13*, Row 36.

³⁰² Catherine, *Submission 13*, Row 55.

³⁰³ *Committee Hansard*, 16 December 2021, p. 26.

2.6.2 Reference Groups

DIT established one business and one community Project Reference Group for the Southern Tunnel and the Northern Tunnel/Tunnel Connector. Participants applied via an Expression of Interest that closed on 22 January 2021.³⁰⁴

In February 2021, Minister Wingard released a press statement regarding the creation of reference groups for each of the tunnels. He conveyed his hopes for the groups to “*provide a forum to discuss, manage and, if possible, mitigate and minimise any local impacts associated with the T2D Project.*”³⁰⁵

The goals of the Reference Groups were to:

- Create an opportunity for discussion and exchange of information on the project;
- Assist the project team to identify local issues or concerns and/or solutions;
- Provide broad representation of local community interests and views, as opposed to individual interests;
- Act as a two-way communication link between the project team and the community;
- Assist in disseminating accurate information via their community networks.

The Reference Groups first met in March 2021, keeping monthly meetings until December 2021.³⁰⁶

Participants included local residents living close to or along South Road, local community/sporting/not-for-profit groups, communities with interest or knowledge of broader issues such environment, community development, community services, cultural/urban realm, business owners/operators, commercial landowners, not-for-profit business and traders groups (see tables below for representatives on all groups).³⁰⁷

At the Committee hearing, it was observed that the residents and business owners north of the River Torrens who would have an elevated roadway over their premises were not included in any of the Reference Groups nor consulted by DIT.³⁰⁸

³⁰⁴ DIT, *Reference Groups*, https://dit.sa.gov.au/nsc/torrens_to_darlington/reference_groups (accessed 23 May 2022).

³⁰⁵ Mr Kevin Schofield, *Submission 8*, p. 1.

³⁰⁶ The last Notes of Discussion posted for all groups related to their December 2021 meetings (*Community Reference Group* https://dit.sa.gov.au/nsc/torrens_to_darlington/contact_us/community_reference_group (accessed 23 May 2022); *DIT, Business Reference Group*, https://dit.sa.gov.au/nsc/torrens_to_darlington/contact_us/business_reference_group (accessed 23 May 2022)).

³⁰⁷ DIT, *Reference Groups*, https://dit.sa.gov.au/nsc/torrens_to_darlington/reference_groups (accessed 23 May 2022).

³⁰⁸ Ms Cashen and Mr Koutsantonis, *Committee Hansard*, 16 December 2021, p. 44. Ms Cashen acknowledged that a member of the Charles Sturt Council attended a few reference group meetings.

Table 3 - Southern Tunnel Reference Groups	
Business Reference Group	Community Reference Group
Greg Garrihy (Business Association – Southern Business Connections)	Michael Ahern (Mitcham Plains Action Group)
Donna Griffiths (City of Marion)	Martin Angus (local resident)
Glenn Hanson (Castle Plaza)	Phillip Boehm (SRISAG representative)
Vernon Hembrow (Stirling Proactive Accountants)	Tanya Firth (local resident)
Heather Holmes-Ross (City of Mitcham Mayor)	Iris Iwanicki (local resident)
Richard Johnson (Energy Hot House)	Anne Jantzen (SRISAG representative)
Akarra Klingberg (City of Unley)	Cr Sasha Mason (City of Marion elected member)
Phile Kurmis (Total Gate Auto)	Andrea McDougall (local resident)
Stephen Lochert (Stratco)	Cr Donald Palmer (City of Unley elected member)
David McNaughton (Jarvis Toyota)	Cr Elisabeth Papanikolaou (City of West Torrens elected member)
John Quick (Snap Printing)	Cr John Sanderson (City of Mitcham elected member)
Vince Rigter (Renewal SA)	Tegan Stehbens (local resident)
Anthony Roe (Roe Financial)	
Peter Russo (McDonalds)	

Table 4 - Northern Tunnel/Connector Reference Groups

Business Reference Group	Community Reference Group
Sue Curran (City of West Torrens)	Cr Paul Alexandrides (City of Charles Sturt elected member)
James Franzon (Hilton Hotel)	Tom Bastians (local resident)
Ron Goldfinch (Safe Fire Electrical)	Catherine Cashen (SRIWAG representative)
Evan Knapp (SA Freight Council)	Mandy Doolan (SRIWAG representative)
Arthur Paniotis (State Surveys)	Peter Del Fante (local resident)
George Mocatta (Commercial Property Owner)	Alex Filipatos (local resident)
Charles Mountain (RAA)	Suzy Hill (Save the Thebby Group representative)
Shane Wingard (Renewal SA)	David Marshall (local resident)
Kym Wundersitz (City of Charles Sturt)	Cr Graham Nitschke (City of West Torrens elected member)
Jeff Faust (Total Workwear)	Ian Pilkington (local resident)
Greg Mander (Brickworks Marketplace)	Joanne Reid (local resident)
	Sibylle Taylor (SRIWAG representative)

Source: DIT, Community Reference Group https://dit.sa.gov.au/nsc/torrens_to_darlington/contact_us/community_reference_group (accessed 23 May 2022); DIT, Business Reference Group, https://dit.sa.gov.au/nsc/torrens_to_darlington/contact_us/business_reference_group (accessed 23 May 2022).

The local South Road Inner West Action Group (SRIWAG) had three representatives on the Northern Tunnel Community Reference Group. With over 1,200 members from the West Torrens community and a close relationship with businesses, community organisations, and the West Torrens Council, SRIWAG had been active for nearly three years and was in an ideal position to advocate on behalf of the community.³⁰⁹ For 18 months, they sought to work “*in good faith*” with the State Government on the T2D project.³¹⁰ SRIWAG representatives shared their experiences on the Reference Group through a written submission and verbal evidence at the Committee hearing.

The lack of consultation on the Reference Design was a major issue for the Reference Groups. The Committee heard that SRIWAG met with the then Minister for Transport and Infrastructure, Mr Stephan Knoll MP in July 2020 and with senior representatives of DIT in December 2020. SRIWAG reported assurances of broad consultation on the Reference Design. At the meeting with DIT, SRIWAG was informed that all aspects of the project would be shared except for cabinet-in-

³⁰⁹ Ms Catherine Cashen, Representative, South Road Inner West Action Group (SRIWAG), *Committee Hansard*, 16 December, p. 41. See also Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*.

³¹⁰ Ms Cashen, *Committee Hansard*, 16 December, p. 41.

confidence documents. Following the T2D budget announcement, SRIWAG representatives met with the then Minister for Infrastructure and Transport, Hon Corey Wingard MP in November 2020. They received more assurances they would be allowed to provide input into the development of the Reference Design and the business case.³¹¹

Representatives Mr Gregg Ryan and Ms Catherine Cashen argued that DIT withheld critical details from the Northern Tunnel's Community Reference Group.

- At the hearing, Ms Cashen told the Committee, "... *it was like drawing blood from a stone. You would just get a little bit of information but it wasn't enough. They had all the information and they were drip-feeding what they were telling us. It was just incredibly frustrating ...*"³¹²
- Her fellow representative, Mr Ryan supported this. "*Questions on matters like traffic projections could not be provided and noise mitigation methods could not be provided. The alignment and positioning of the portals—no; pedestrian and cycling arrangements—no; traffic impacts, even on ancillary roads, Grange, James Congdon and so on—no.*"³¹³

On 8 November 2021, SRIWAG representatives met with DIT who provided them "*with brief information only on options that were rejected*" and no information on the option selected.³¹⁴ Instead of seeking feedback on the chosen design, DIT outlined the eight options for the Northern Tunnel that had been dismissed without consultation. Mr Ryan and Ms Cashen considered that one or more of these rejected options could have become viable through the consultation process. DIT responded that the options were "*too complex*" for consultation. SRIWAG described this attitude as "*insulting*."³¹⁵

The Community Reference Group first saw the Southern Tunnel's Reference Design in the newspaper with the rest of the public, despite the critical role they were meant to have in advising on it.³¹⁶ Ms Cashen described the group's sense of being disrespected and stated that DIT's actions in providing the design to the media first had "*caused a great deal of angst in the community reference group and the community.*"³¹⁷ They found it "*deeply disappointing*" that they had been given no chance to test its assumptions.³¹⁸

SRIWAG representatives met with Minister Wingard in October 2021 to voice their discontent that they had not been given the promised chance to consult on the Reference Design. "*Disappointingly, it was acknowledged at this meeting that the CRG [Community Reference Group] and broader community will not be provided with the opportunity to influence the design.*" Opportunity to contribute would be limited to after the Reference Design was released.³¹⁹

DIT explained to the SRIWAG representatives that the rationale was for all property owners to be notified before they released the Reference Design to the Reference Groups. SRIWAG did not accept this view, arguing that the Reference Design should be finalised first. Otherwise, there was no opportunity at all to consult meaningfully with the Reference Groups. In SRIWAG's opinion, "*any competent agency must be able to manage the communication and consultation challenges of these*

³¹¹ Mr Ryan and Ms Cashen, *Submission 12*, p. 4; Mr Ryan, *Committee Hansard*, 16 December 2021, p. 43.

³¹² *Committee Hansard*, 16 December 2021, p. 43.

³¹³ *Committee Hansard*, 16 December 2021, p. 42.

³¹⁴ Mr Ryan, *Committee Hansard*, 16 December, p. 42.

³¹⁵ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 3.

³¹⁶ *Submission 12*, p. 2. The design was published in the weekend newspaper and their Community Reference Group did not meet until Thursday (Ms Cashen, *Committee Hansard*, 16 December 2021, p. 44).

³¹⁷ Ms Cashen, *Committee Hansard*, 16 December 2021, p. 44.

³¹⁸ *Submission 12*, pp. 3, 5.

³¹⁹ *Submission 12*, p. 5.

*situations, balancing sensitivity to those most affected with the need – in a democracy – for the broader public to be informed and have a say.*³²⁰

Ms Cashen went so far as to describe the Reference Design disclosure as a “*fait accompli*”.³²¹ At the public hearing, she described her disillusionment with the consultation process:

I would suggest that we were needed, because there certainly are requirements that they [DIT] have to consult. All the brochures that come out in terms of consultation talk about engagement. The objectives of the community reference group ... include problem-solving local issues, communication of ideas, etc.—all very positive. The reality was very different.³²²

Mr Kevin Schofield, who attended as a proxy on the Southern Tunnel’s Community Reference Group, conveyed similar sentiments as the Northern Tunnel’s:

the members have been ‘frustrated’ and have felt that the Department has ‘driven the agenda’ of the reference groups to its own ends, and has not been interested in detailed community input. Of most frustration is that the reference groups have not been able to comment on any design details or proposals, as these have not been shared by the Department.³²³

Mr Schofield argued that the updated design did not reflect any input from the Reference Group, despite Minister Wingard’s statement that the community would play a key role. He believed that DIT had relied too much on civil contractors, neglecting the advice of the people who lived and travelled through the area.³²⁴

He described the meeting he attended as proxy on 20 October 2021. DIT invited both the Southern Tunnel’s Business and Reference Groups to attend a combined meeting with the Department’s Director of Engineering to reveal the Reference Design. Both groups were disappointed to examine a “*stylised map showing the extent of the new roads, but not in any significant detail, and a PowerPoint presentation on tunnel ventilation*” – not the Reference Design both groups were promised. He described the DIT representatives as “*defensive and unwilling to take on alternative views*”, particularly those relating to movements and interactions of his community.³²⁵

A member of one of the Community Reference Groups informed the community survey that the consultation process was not fruitful, consisting of post-it notes on butcher’s paper with no follow through or resolution. She criticised the combined meetings with the Business Reference Group who tended to dismiss the concerns of the residents whose perspectives were very different. Overall, the consultation left her “*anxious*” about the final result.³²⁶

Local residents from the electorate of Badcoe did not appreciate the Reference Groups’ treatment:

- Samantha was upset that the group representing her interests was only to be informed about the Reference Design after it was completed. After all, “*What would be the point of consultation after the fact?*”³²⁷

³²⁰ Submission 12, p. 5.

³²¹ Committee Hansard, 16 December 2021, p. 42; Mr Ryan, Committee Hansard, 16 December 2021, p. 43.

³²² Committee Hansard, 16 December 2021, p. 43.

³²³ Mr Kevin Schofield, Submission 8, pp. 1, 2.

³²⁴ Submission 8, pp. 1, 2, 5.

³²⁵ Submission 8, p. 2.

³²⁶ Joanne, Submission 13, Row 11.

³²⁷ Samantha, Submission 13, Row 5.

- Lorraine described the cessation of the reference groups before the second wave of works for West Hindmarsh as a “disgrace”.³²⁸
- Michelle described the Community Reference Group as a “farce”. She stated that members of the group and the community “have not been meaningfully consulted, the reference group has only led to increased frustration and an overall sense that DIT has little respect for the community”.³²⁹

2.6.3 DIT Response

At the Committee hearing, Mr Braxton-Smith defended DIT’s handling of community consultation, citing a lack of community awareness about the amount of planning required for a major infrastructure project on the scale of the T2D. He acknowledged a community expectation to act quicker and engage in more detail. Mr Braxton-Smith told the Committee about the conflict between consulting with the community and following strict guidelines:

... there is criticism that we have not engaged enough or in enough detail. The fact is that we engage as best we can when we have done sufficient design, development and analysis. It’s not that we are doing it on a kind of artisanal design basis; we follow very strict guidelines that are issued by the commonwealth for partner-funded projects in relation to the way designs are performed, the standards that are met and the analysis that is done. I can appreciate and understand that in the community there will be at times frustration and there will be criticism of us, but we have done the best we can.³³⁰

At the public hearing, Ms Susana Fueyo, Executive Director, North-South Corridor Project, informed the Committee that the current Reference Design was going to tender with “a possibility” that it might be modified in accordance with “feedback from the community”. This feedback was part of an “assurance process” undertaken after notifying all property owners since DIT had deliberately withheld the Reference Design from public consultation as previously discussed.³³¹

At the public hearing, Mr Braxton-Smith acknowledged that he had not personally met with any of the resident groups or Reference Groups regarding the Reference Design. He told the Committee he would undertake to meet with them.³³²

2.7 Alignment and Position of Portals

As stated in Section 1.1.1, the exits and entrances of the tunnels were known as portals. They will be located at Clovelly Park and Glandore for the Southern Tunnel and Hilton and Torrensville for the Northern Tunnel.

As stated previously, the public had not seen the full Reference Design at the time of submitting their responses to DIT’s community survey. However, the high-level diagram provided the approximate location of the portals. Connectivity to both tunnels generated the greatest number of responses on the ‘Design and Construction’ element of the survey.³³³

³²⁸ Lorraine, *Submission 13*, Row 31.

³²⁹ Michelle, *Submission 13*, Row 58.

³³⁰ *Committee Hansard*, 16 December 2021, p. 14.

³³¹ *Committee Hansard*, 16 December 2021, p. 19.

³³² *Committee Hansard*, 16 December 2021, p. 22.

³³³ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DATA_UPDATE.pdf (accessed 28 June 2022), p. 16.

Key findings regarding the Southern Tunnel included:

- 333 responses in total;
- 204 felt there should be more direct access from Cross Road into the motorway;
- 82 respondents felt there should be a motorway connection from Daws Road;
- 25 felt there should be a connection around Edwardstown near Edward Street/Raglan Street; and
- Improvements to access the motorway from Clovelly Park via Tonsley Boulevard, and from Shepherds Hill Road and Ayliffes Road were also raised.³³⁴

Key findings regarding the Northern Tunnel included:

- 258 responses in total;
- All suggested additional or improved connectivity to the CBD via Anzac Highway and/or connectivity to the airport via Sir Donald Bradman Drive, Henley Beach Road or Richmond Road;
- “Many” respondents felt that on/off ramps should be located on Sir Donald Bradman Drive for access to the airport and the CBD – some felt that this would be better than ramps on Richmond Road;
- “A number” of respondents expressed confusion about access to Richmond Road, given its low capacity and the fact that airport access is provided via Sir Donald Bradman Drive;
- “A small number” felt that access should be provided at Henley Beach Road and/or James Congdon Drive to improve CBD access;
- “A number” felt that the section of open motorway between the two tunnels was unnecessarily complex, would create congestion and come at the expense of land uses and liveability;
- An unknown number expressed concerns about the capacity of Anzac Highway to handle the volume of city-bound traffic, as well as the ability to fit the complex motorway around exiting Structures at Gallipoli Underpass and the Glenelg Tram Overpass; and
- “Some” comments were also received about the lowered motorway connection, primarily the narrowness of the crossing over the River Torrens and congestion around Ashwin Parade.³³⁵

At the hearing, Mr Braxton-Smith told the Committee that DIT evaluated sites for the Northern Tunnel’s portal. The site required a large open space close to the alignment, limiting viable options. Some were dismissed for being situated too far away from the alignment.³³⁶

³³⁴ DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DATA_UPDATE.pdf (accessed 28 June 2022), p. 16.

³³⁵ The report did not break down the 258 responses into specific figures. DIT, *T2D Torrens to Darlington: Community Engagement Report*, August 2021, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DATA_UPDATE.pdf (accessed 28 June 2022), pp. 16, 17.

³³⁶ Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 15.

DIT investigated eight options for the Northern Tunnel and Northern portal including two involving tunnels beneath the River Torrens.³³⁷ In a response to a Question on Notice, DIT summarised the reasons for dismissing these options.

- One option was aligned under the Brickworks building and provided a portal north of the River Torrens. This option *“presented issues with integrating with the existing motorway under Grange Road, and with Grange Road itself, in a safe manner whilst meeting the road performance requirements and applicable road design standards.”*
- The second option for a shallower tunnel to the west of the Brickworks building passed under the River Torrens in a shallow cut and cover tunnel. This option *“created significant disruption to the river channel and the Brickworks carpark and required the acquisition of additional residential properties north of the river.”*
- Both options required *“considerably longer lengths of tunnel”*.
- Extending the tunnels beneath the River Torrens would lower the road *“to such an extent that the geometry required to connect back up to Grange Road would be difficult to achieve in accordance with design standards.”* The southern portion of the completed Torrens Road to River Torrens motorway would require a redesign to achieve connectivity to Port Road instead of Grange Road/Manton Street.
- The additional length of tunnel required to place the entry and exit portals north of the River Torrens and the complexity of tunnelling beneath the river would increase project costs significantly.³³⁸

The final option selected for the Reference Design rated best against five key project criteria:

- functionality and safety;
- land and property impacts;
- heritage impacts;
- environment and construction impacts and
- cost.³³⁹

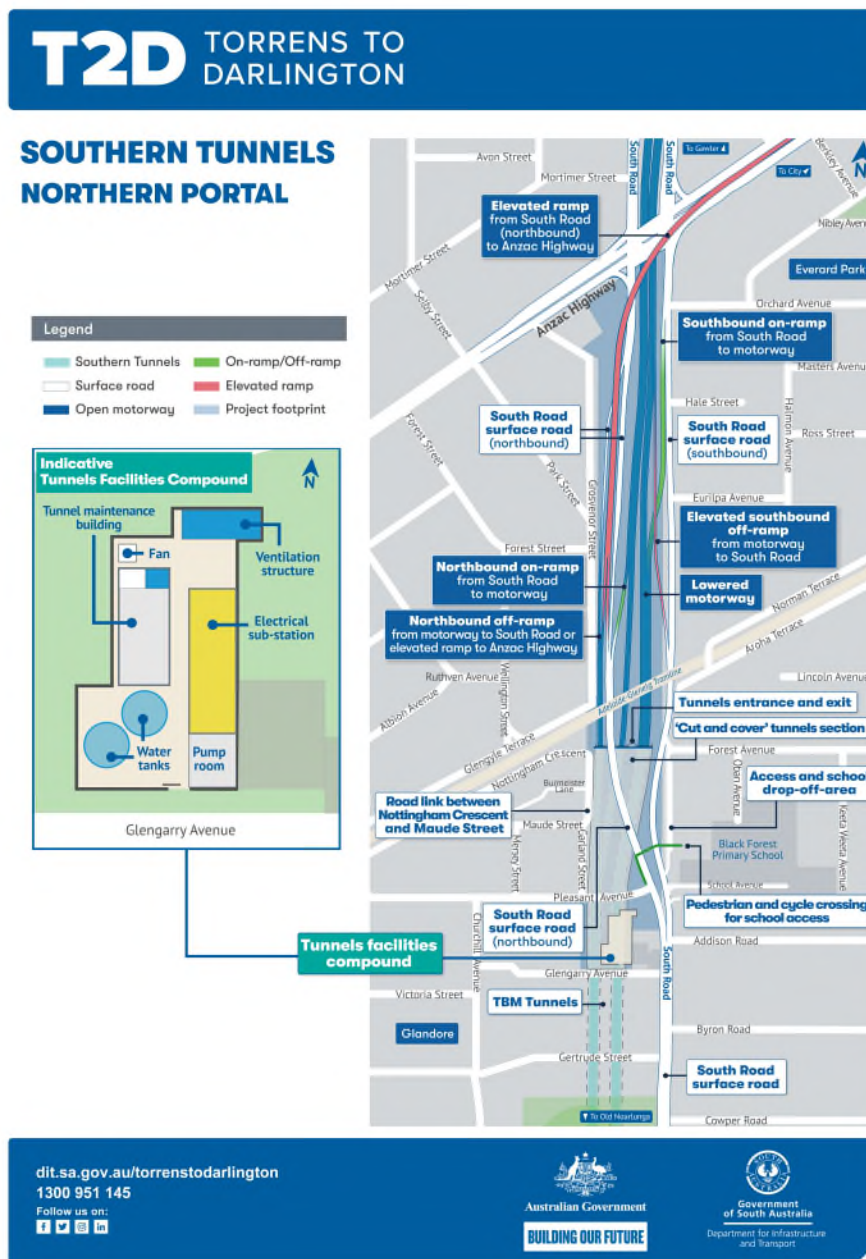
This option was released to the public on 24 October 2021 (see Figure 12 below).

³³⁷ Ms Fueyo, *Committee Hansard*, 16 December 2021, p. 15.

³³⁸ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2022, p. 11.

³³⁹ Mr Braxton-Smith, *Response to Questions on Notice*, 21 January 2022, pp. 10, 12.

Figure 12 - T2D Southern Tunnels Northern Portal.



Two portions of Kings Reserve at Torrensville would be acquired for construction of the northern portal. Once the project was completed, one portion would be returned to the community as part of T2D's City Shaping program and used for a new Thebarton hub for more green, open space.³⁴⁰

The Committee heard discontent concerning the portal's location:

- Mr Peter and Mrs Leanne Gordon questioned the cost efficiencies of a resulting "dog leg" around a Telstra exchange that cut deeper into the Glandore community for tunnel location. This would affect the alignment of the tunnels back onto South Road before the tram line.

³⁴⁰ DIT, *Locals Urged to Shape New Green Thebby Hub*, Media Release, 8 February 2022 https://dit.sa.gov.au/nsc/torrens_to_darlington/news?a=999781 (accessed 23 May 2022). See Section 2.10 for additional detail on community assets.

They questioned why the abandoned Hills Industries site was not used as a portal site. This would have required the acquisition of commercial sites rather than residential.³⁴¹

- Mr Ryan from SRIWAG also argued that it made “*little sense to emphasise the acquisition of residences and public facilities as opposed to underutilised storage and industrial land which is virtually untouched next door.*”³⁴²
- Ms Cashen from SRIWAG told the Committee that the benefits of a tunnel “*are lost once it ends, and in our case it ends south of the Brickworks in an area of significant community asset and activity. The impact ... will be catastrophic.*”³⁴³ The SRIWAG submission argued that the location of the Northern Tunnel portal in the Thebarton/Torrensville area would “scar” the inner urban location near the parklands in a number of ways:
 - It clashed with a well-used community hub (George Street to Torrens);
 - It would require the acquisition or alienation of community assets such as King’s Reserve, the Thebarton Community Centre, sports facilities and the Thebarton Bioscience precinct and open spaces, as well as many residences and businesses;
 - It would impact on adjacent residences, the West Thebarton Hotel, the Thebarton Oval and other properties in ways that were unclear at the time of the submission;
 - It would compromise east-west connectivity in a heavily used area; and
 - Disrupt movement and use of community facilities during the works in addition to the long-term impact.³⁴⁴

Survey respondents from the electorate of Badcoe felt that:

- The number of portals was excessive and location of the portal before West Thebarton Road ineffective.³⁴⁵
- The portal locations were inappropriate and should be located in areas with fewer residential properties likely to be acquired.³⁴⁶

³⁴¹ Mr Peter and Mrs Leanne Gordon, *Submission 9*, pp. 3, 4.

³⁴² Mr Gregg, *Committee Hansard*, 16 December 2021, p. 43.

³⁴³ Ms Cashen, *Committee Hansard*, 16 December 2021, p. 41.

³⁴⁴ *Submission 12*, p. 6.

³⁴⁵ Joanne, *Submission 13*, Row 11.

³⁴⁶ Robert, *Submission 13*, Row 57.

2.8 Provision of Noise Mitigation Measures

In the tabled report for the enabling works project, DIT stated that Construction Noise and Vibration Management Plans “*will be required to be implemented during construction and will be part of the Contractors’ environmental management requirements to mitigate any potential indirect impacts to heritage places in proximity to the works*”.³⁴⁷

Mr Braxton-Smith acknowledged to the Committee that DIT was “acutely aware that infrastructure delivery also has very real impact on people’s lives in the areas that we work, and we work as best we can to mitigate those impacts.”³⁴⁸

Mr Schofield, proxy member of the Community Reference Group for the Southern Tunnel, stated in his submission that the updated street map shared with the group in a meeting showed a sound abatement wall was planned for Grosvenor Street only. DIT was questioned as to whether other noise mitigation measures would be implemented and responded that the Reference Design would comply with departmental standards. Mr Schofield assumed this meant the ‘DPTI Road Traffic Noise Guidelines’ which he considered to be “*inappropriate and out of date*” for the following reasons:

- did not recognise the public health burden of environmental noise;
- set the margin of error in favour of DIT rather than the public; and
- used ‘A’ weighted sound levels that did not consider full impacts of low frequency noise.³⁴⁹

He estimated that his property would be affected by sound pressure level increases from 15 decibels to 20 decibels. He stated that these levels would exceed the sound criteria proposed in the Guideline for a comparable redeveloped road.³⁵⁰

At the time of the Inquiry, only minimal site and project works had commenced. As such, the issue of noise was not currently relevant to most of the witnesses or submitters living or working in the project area. However, Mr Jason Sandercock and Ms Nesha Sathurayar had experienced noise through the T2T roadworks in another property and did not “*wish to subject anyone to being inside the only house on the entire block to the nuisance of dust, noise and vibration associated with major road works like this*”.³⁵¹ Their submission highlighted the “*stressful and difficult time*” of living with roadworks and expressed their concerns that high noise walls would negatively impact yards with reduced sunlight.³⁵² Nesha also responded to the survey of the Badcoe electorate, stating that residents should be compensated for enduring the noise, dust and increase in traffic.³⁵³

The Committee heard concerns about potential noise or measures to be implemented:

- Ms Kate Starr questioned the Committee about how noise and air pollution would be mitigated against a triple layer of traffic by the Gallipoli Underpass, and whether green space

³⁴⁷ DIT, *Final Report: North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations Project*, 149th Report of the 54th Parliament, Public Works Committee, tabled 10 June 2021, p .9.

³⁴⁸ *Committee Hansard*, 16 December 2021, p. 7.

³⁴⁹ The World Health Organisation recommended using unweighted values (Mr Kevin Schofield, *Submission 8*, pp. 3,4.)

³⁵⁰ Mr Kevin Schofield, *Submission 8*, p. 4.

³⁵¹ Mr Jason Sandercock and Ms Nesha Sathurayar, *Submission 3*, p. 1.

³⁵² *Submission 3*, p. 1.

³⁵³ Nesha, *Submission 13*, Row 4.

or a sound wall between the flyover/Gallipoli Underpass and Orchard Avenue would be installed to block the noise.”³⁵⁴

- Mr Shane Mulraney highlighted the absence of a sound barrier to reduce the noise from the Anzac Highway flyover to be built near his property. He questioned how noise from the impact of vehicles on concrete grooves would be managed and hoped that “*cheap and childish colour panels used on other parts of the South Road redevelopment*” would not be installed.³⁵⁵
- The survey responses from the electorate of Badcoe expressed concerns about noise and mitigation measures:
 - Elisha stated she was concerned about noise and air quality;³⁵⁶
 - Sarah and Preeti wanted to know how noise would be managed;³⁵⁷
 - Shannon was worried about increased noise in Keswick;³⁵⁸
 - Rob stated that residents who are impacted should be “*over compensated*” for the disruption to their lives;³⁵⁹
 - Chris requested soundproofing.³⁶⁰ Christine requested sound walls;³⁶¹
 - Michelle stated that “*mitigation of noise, vibration, light spill and construction impacts (including dust)*” was a priority for her family. She wanted sound walls that would “*completely*” block off her street but did not want sound walls like those further along the T2T as they were an “*eyesore*”;³⁶²
 - Joanne was concerned that the motorway would result in noise from increased traffic. She sought sound proofing more aesthetically pleasing than a large wall, a green buffer and double-glazed windows;³⁶³
 - Lesley said “*no to drilling and early works.*” She acknowledged that a barrier wall would block some sound but suggested that it continue as one solid wall. She also requested that DIT pay for double glazing on windows and doors;³⁶⁴
 - Paul stated that the noise walls would have to be at least the height of the flyover to be effective;³⁶⁵
 - Mary-Ann and Stephen wondered whether the remaining homes would be free to select their own noise-reducing fences as was apparently the case in Portrush Road upgrades;³⁶⁶

³⁵⁴ Ms Kate Starr, *Submission 6*, p. 1.

³⁵⁵ Mr Shane Mulraney, *Submission 15*, p. 1.

³⁵⁶ Elisha, *Submission 13*, Row 3.

³⁵⁷ Sarah, *Submission 13*, Row 43; Preeti, Row 47.

³⁵⁸ Shannon, *Submission 13*, Row 21.

³⁵⁹ Rob, *Submission 13*, Row 36.

³⁶⁰ Chris, *Submission 13*, Row 8.

³⁶¹ Christine, *Submission 13*, Row 10.

³⁶² Michelle, *Submission 13*, Row 29.

³⁶³ Joanne, *Submission 13*, Row 11.

³⁶⁴ Lesley, *Submission 13*, Row 23.

³⁶⁵ Paul, *Submission 13*, Row 24.

³⁶⁶ Mary-Ann and Stephen, *Submission 13*, Row 30.

- Peter argued that the current sound barrier was “*virtually useless*” since he could hear traffic on South Road day and night; and³⁶⁷
- Heather was particularly concerned about traffic noise. She suggested reducing it via a sound wall and native vegetation barrier.³⁶⁸

Mr Ryan and Ms Cashen specifically stated that SRIWAG and the Northern Tunnel’s Community Reference Group had no opportunity to provide input into the provision of noise mitigation measures.³⁶⁹

2.9 Procurement Process for the North-South Corridor Tunnels

According to DIT’s December 2021 quarterly report lodged with the Committee, procurement of long lead time items for APA gas relocations was underway.³⁷⁰

However, the project was not sufficiently advanced for the Committee to properly consider evidence regarding procurement for construction of the tunnels or the connecting motorways.

One respondent in the electorate of Badcoe survey wanted “*the job to be completed by locals, where possible*.”³⁷¹

2.10 Relocation of Community Assets and Clubs

At the hearing, Committee Member and Member for West Torrens, Hon Anastasios [Tom] Koutsantonis MP highlighted a conflict between the interests of property holders and the clubs operating on their premises. For example, clubs commonly leased their premises from local councils or third parties. Mr Koutsantonis said, “*often the council and the landowner’s interests don’t necessarily align with the community club*.”³⁷²

The Torrensville Bowling Club was located on King’s Reserve, which was to be acquired by DIT for the northern section of the project. In their survey responses, two Badcoe residents stated that the club “*was supposed to be on that site forever*” and “*was just built and now is being ripped down*”.³⁷³

During the public hearing, the Committee heard that the City of West Torrens – as owners of the land – had encouraged the club to relocate and merge with another bowling club in Lockleys. Mr Koutsantonis informed DIT representatives that the Torrensville club did not wish to move. He raised the conflict between the council and the club: “*I will make no mention of the council as to what their agenda is, but this is a working-class club that has spent a lot of time building up its facilities ... and their interests don’t necessarily align with the landowner’s*.” Mr Koutsantonis questioned DIT representatives whether they had considered relocating or rebuilding the bowling club’s facilities.³⁷⁴

Mr Braxton-Smith replied that DIT would engage with the club.³⁷⁵ In a response to a Question on Notice, he explained that:

³⁶⁷ Peter, *Submission 13*, Row 40.

³⁶⁸ Heather, *Submission 13*, Row 56.

³⁶⁹ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 4.

³⁷⁰ DIT, *North-South Corridor Torrens to Darlington Enabling Works and Utility Services Relocations, Quarterly Report* [1 October 2021-31 December 2021], p. 2.

³⁷¹ Samantha, *Submission 13*, Row 5.

³⁷² Hon Anastasios Koutsantonis, *Committee Hansard*, 16 December 2021, p. 16.

³⁷³ Pauline, *Submission 13*, Row 9; Louie, Row, 59.

³⁷⁴ *Committee Hansard*, 16 December 2021, p. 16.

³⁷⁵ *Committee Hansard*, 16 December 2021, p. 16.

The Department for Infrastructure and Transport (DIT) is committed to continuing to work collaboratively with the City of West Torrens, in its capacity as the property owner, and the Torrensville Bowling Club to support the finding of a suitable alternative venue for the club, prior to the land being needed for the project from late 2024.... The T2D project team has also engaged with the Torrensville Bowling Club as the project has progressed through the reference design phase ... This includes in-person meetings with the Bowling Club, held in July and November 2021, as well as regular project updates via email newsletters to club representatives.³⁷⁶

Mr Ryan and Ms Cashen specifically stated that SRIWAG and the Northern Tunnel's Community Reference Group had no opportunity to provide input into the relocation of community assets and clubs.³⁷⁷ However, they told the Committee the potential loss of King's Reserve would have "*significant environmental ramifications*" for an area already lacking parks.³⁷⁸ At the Committee hearing, the Member for West Torrens highlighted the significance of King's Reserve as an important public space continuously open to the people of the western suburbs.³⁷⁹ The survey in the electorate of Badcoe also highlighted the acquisition of King's Reserve as a major loss to the community.³⁸⁰

The Black Forest Scout Hall at Glandore was initially not identified for acquisition in the September 2021 round of letters but, following further assessment, DIT determined it was to be acquired.³⁸¹ Mr Braxton-Smith's response to a Question on Notice explained that DIT required the scout hall to support the safe construction of the motorway and to facilitate new access to public transport stops and access infrastructure.³⁸²

Submissions highlighted displeasure that the scout hall would be acquired. Kate and Chris Lockyer questioned why it was marked for demolition given it was set back from South Road.³⁸³ A resident, also named Kate from the electorate of Badcoe, also drew attention to the Scout Hall in her survey response, describing its loss as "*devastating*" and stating that it would be "*quite unlikely*" that the Scouts would find another location in Glandore.³⁸⁴ Without the release of the Reference Design or further details, she did not understand the need for the acquisition of the property which risked closure of the Scout group that had been running for nearly 50 years.³⁸⁵

DIT acknowledged the importance of facilities like that scout hall and stated they would "*support the identification of potential opportunities for the relocation of the Scout Hall*".³⁸⁶

The community survey from the electorate of Badcoe highlighted a variety of concerns for other local assets including:

- Richmond Football Oval and clubrooms;
- Glandore Oval;
- Thebarton Community Centre;

³⁷⁶ Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, pp. 13-14.

³⁷⁷ Mr Ryan and Ms Cath Cashen, SRIWAG, *Submission 12*, p. 4.

³⁷⁸ *Submission 12*, p. 7.

³⁷⁹ Hon Anastasios Koutsantonis, *Committee Hansard*, 16 December 2021, p. 14.

³⁸⁰ Nesha, *Submission 13*, Row 4; Samantha, Row 5; Joanne, Row 11.

³⁸¹ Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 16.

³⁸² Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 16.

³⁸³ *Submission 11*, p. 1.

³⁸⁴ Kate, *Submission 13*, Row 33.

³⁸⁵ Kate, *Submission 13*, Row 33.

³⁸⁶ Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 16.

- Schools, community centres, medical centres and bikeways;
- Public tennis courts, basketball area and netball courts;
- Warriappendi School;³⁸⁷
- Ashley Street Reserve, Jervois Street Reserve and JR Langman Reserve; and
- Green spaces.³⁸⁸

With the closure of these community assets, Peter was concerned that people from the western suburbs would flock to the already overwhelmed Goodwood Oval, Edwardstown Oval and Weigall Oval.³⁸⁹

Lorraine from the electorate of Badcoe criticised DIT's offer to consult on 're-greening' given that they proposed to destroy a reserve.³⁹⁰ Greening was also highlighted as an issue at the Committee hearing. Ms Cashen from SRIWAG believed that the loss of open green space in an area containing very little "*has been ignored or undervalued by DIT.*"³⁹¹ At the hearing, Mr Ryan reflected his colleague's sentiments about the loss of green space for the "*park-poor*" western suburbs.³⁹²

Mr Braxton-Smith informed the Committee that DIT's City Shaping program would include various greening initiatives such as landscaping treatments and planting programs. "*So in general we put back more than is removed.*" However, he could not say how much green space had been taken out for the project nor advise residents on green space alternatives at that point in time. He told the Committee that the City Shaping program would consist of community-led initiatives funded by grants.³⁹³

His response to a Question on Notice about the number of trees to be removed stated that tree removal numbers were "*yet to be determined*". He stressed that initial tree surveys had been undertaken on publicly accessible land but not land yet to be acquired for the project. Final tree removal numbers would not be confirmed until all the surveys were completed and all construction methodology determined.³⁹⁴

Nesha from the constituency drew a contrast between the acquisition of these small community assets and major businesses like the Brickworks that remained unaffected by the plans.³⁹⁵ Similarly,

³⁸⁷ Mr Braxton-Smith told the Committee the Department for Education would handle the school relocation (*Committee Hansard*, 16 December 2021, p. 22).

³⁸⁸ Elisha, *Submission 13*, Row 3; Nesha, Row 4; Jennifer, Row 7; Pauline, Row 9; Joanne, Row 11, Emily, Row 17; Shannon, Row 21, Mary-Ann and Stephen, Row 30; Lorraine, Row 31; Kate, Row, 33; Vicky, Row 34; Peter, Row 40; Peter, Row 44; Anne, Row 46.

³⁸⁹ Peter, *Submission 13*, Row 44.

³⁹⁰ Lorraine, *Submission 13*, Row 31.

³⁹¹ *Committee Hearing*, 16 December 2021, p. 42.

³⁹² *Committee Hearing*, 16 December 2021, p. 43.

³⁹³ This would be funded by a \$125m fund on open spaces administered by DIT and co-funded by the Commonwealth government (Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 20). The exact amount allocated to the community-led grant aspect of the program was yet to be confirmed. The grants were likely to be an annual program over the life of the T2D project. Criteria was still under preparation with the program to be available to the community in mid-2022 (Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 19).

³⁹⁴ Mr Braxton-Smith, *Response to Questions on Notice*, 22 January 2021, p. 18.

³⁹⁵ Nesha, *Submission 13*, Row 4.

Claire from the same survey was concerned that decisions were determined based on big business or “who has the loudest voice”.³⁹⁶

2.11 Consideration of Australian Standards For Carrying Dangerous Goods

The Committee did not hear any evidence relating to dangerous goods transport. The following information relates to current regulations for freight that would presumably apply.

The ‘Australian Code for the Transport of Dangerous Goods by Road and Rail’ outlines the requirements for transporting dangerous goods by road or rail. The code is given legal force in each Australian state and territory by each jurisdiction’s dangerous goods transport laws.³⁹⁷ In South Australia, it falls under the *Dangerous Substances Act 1979* and the *Dangerous Substances (Dangerous Goods Transport) Regulations 2008*.³⁹⁸

Under the Act, transport in relation to dangerous goods “encompasses any form of transport of dangerous goods by vehicle and includes –

- (a) the packing, loading and unloading of the goods, and the transfer of the goods to or from a vehicle; and
- (b) the marking of packages and unit loads containing dangerous goods, and the placarding of containers and vehicles in which dangerous goods are transported; and
- (c) other matters incidental to their transport”.³⁹⁹

As defined under Regulation 64(5) of the *Road Traffic (Miscellaneous) Regulations 2014*, it is prohibited to carry dangerous goods on certain roads in South Australia.⁴⁰⁰

These are currently:

- a portion of the Riddoch Highway (Mount Gambier – Port MacDonnell), known as Bay Road;
- a portion of John Watson Drive, Mount Gambier; and
- a portion of Ocean Boulevard in the City of Marion.⁴⁰¹

³⁹⁶ Claire, *Submission 13*, Row 48.

³⁹⁷ National Transport Commission, *Australian Dangerous Goods Code*, <https://www.ntc.gov.au/codes-and-guidelines/australian-dangerous-goods-code> (accessed 23 May 2022).

³⁹⁸ A full list of all state and territory Acts and Regulations are found at the Federal Department of Infrastructure, Transport, Regional Development and Communications website (*Transport of Dangerous Goods by Road and Rail Legislation Status*, <https://www.infrastructure.gov.au/infrastructure-transport-vehicles/transport-strategy-policy/transport-australia/transport-dangerous-goods/transport-dangerous-goods-road-and-rail-legislation-status>) (accessed 23 May 2022).

³⁹⁹ South Australian *Dangerous Substances Act 1979*, https://www.legislation.sa.gov.au/_legislation/lz/c/a/dangerous%20substances%20act%201979/current/1979.47.auth.pdf (accessed 23 May 2022), p. 3.

⁴⁰⁰ South Australian *Road Traffic (Miscellaneous) Regulations 2014*, [https://www.legislation.sa.gov.au/_legislation/lz/c/r/road%20traffic%20\(miscellaneous\)%20regulations%202014/current/2014.206.auth.pdf](https://www.legislation.sa.gov.au/_legislation/lz/c/r/road%20traffic%20(miscellaneous)%20regulations%202014/current/2014.206.auth.pdf) (accessed 23 May 2022).

⁴⁰¹ SafeWork SA, *Transport of Dangerous Goods*, <https://www.safework.sa.gov.au/industry/transport-and-stevedoring/transport-of-dangerous-goods> (accessed 23 May 2022).

The relevant Minister has the power to add any other portion of roads by placing a notice in the Gazette.⁴⁰²

2.12 Cost Pressures and Cost Assumptions Including Procurement and Tenders

The Committee heard minimal evidence relating to cost pressures and assumptions for procurement and tenders.

However, at the time of the Inquiry, the T2D project was proceeding on the following assumptions:

- that the Commonwealth Government would contribute 50 per cent of the project's total funding beyond the first stage of \$5.422 billion;⁴⁰³
- that the enabling works and utility services project would be delivered on time and on budget;
- that compulsory acquisition of land and property would progress on time and on budget; and
- that DIT would proceed with the selected Reference Design. At the Committee hearing, Ms Ms Susana Fueyo, Executive Director North-South Corridor Project, told the Committee that the selected Reference Design would be the one going to tender.⁴⁰⁴

As indicated in Section 2.5, DIT considered and dismissed eight other options for the Northern Tunnel. If the Reference Design were to revert to one of the other options or change significantly in any way – such as altering the tunnels to travel beneath the River Torrens instead or lengthening the tunnels – the costs could significantly change.⁴⁰⁵

At the hearing, the Committee heard that a business case for the T2D project had been commissioned but not yet completed. This caused concern for one Committee member who worried about project costs; *"I would have thought that the business case would be done first before you allocate the money."*⁴⁰⁶

The Committee considered a few submissions that addressed cost pressures or assumed costs:

- Mr Peter and Mrs Leanne Gordon questioned *"what impact analysis and detailed costing has been used to decide not to move the Telstra exchange"* and whether any additional costs were incurred from this decision.⁴⁰⁷
- Mr Ryan and Ms Cashen from SRIWAG felt unclear about the level of social and environmental impacts factored into any cost benefit analysis. They understood the primary

⁴⁰² SafeWork SA, *Transport of Dangerous Goods*, <https://www.safework.sa.gov.au/industry/transport-and-stevedoring/transport-of-dangerous-goods> (accessed 23 May 2022).

⁴⁰³ The rest of the 50:50 funding to take the project to \$9.9 billion was secured in February 2022 (DIT, *T2D Funding Locked In: Media Release*, 14 February 2022, https://dit.sa.gov.au/nsc/torrens_to_darlington/news?a=1002421 (accessed 23 May 2022)).

⁴⁰⁴ *Committee Hansard*, 16 December 2021, p. 19.

⁴⁰⁵ For tunnels beneath the River Torrens, see Joanne, *Submission 13*, Row 11; Lorraine, Row 31; Ms Cashen, *Committee Hansard*, 16 December 2021, p. 41. For extension of the tunnels, see Julie, *Submission 13*, Row 51; Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 6; Ms Cashen, *Committee Hansard*, 16 December 2021, p. 41.

⁴⁰⁶ Hon Anastasios Koutsantonis, *Committee Hansard*, 16 December 2021, p. 44.

⁴⁰⁷ Mr Peter and Mrs Leanne Gordon, *Submission 9*, p. 4.

driver behind the design was financial but this could change if other options such as a longer tunnel were to be implemented as stated above.⁴⁰⁸

- Michael from the electorate of Badcoe firmly believed that the decision not to provide a tunnel through Marleston was a political one, not a budget constraint. He believed the State Liberal government positioned a sunken roadway through an “*historically safe Labor seat*”.⁴⁰⁹
- Christine from the electorate of Badcoe was convinced that the project would “*blow out the moment there’s a variation*”. The Government would pay the bill, but homeowners should be the ones compensated.⁴¹⁰
- Stephen, Wally, Greg and Robert from the electorate of Badcoe assumed that the budget would “*blow out*” due to the magnitude of the project.⁴¹¹

2.13 Impacts on Pedestrian and Cycling Access

According to DIT’s engagement report, cycling and walking connections were important features to the community. Approximately 87 per cent of respondents to DIT’s roadshows rated cycling and pedestrian access as important.⁴¹² A total of 52 comments related to cycling and walking facilities, distributed evenly between requests for general improvement, safe north-south connections and east-west linkages to connect communities.⁴¹³ Comments focussed on the open motorway section of the project and at Barwell/Everard Avenue, the West Side Bikeway, connecting Glandore and Black Forest, at Mile End, connecting Kurralta Park and Ashford, Deacon Avenue/James Congdon Drive and at Roebuck Street.⁴¹⁴

DIT’s community survey also unearthed 154 comments relating to improving walking and cycling facilities in general or to specific cycle lanes, cycle paths, footpaths, shared-use paths, lighting and security. It was “*generally recognised*” that current safety and quality standards for walking and cycling were “*very low*” along the corridor. A “*large number*” of comments from a further 99 that related to east-west connectivity highlighted the need for pedestrian overpasses/underpasses for access to community facilities such as schools, shops and other services.⁴¹⁵

Some submissions addressed concerns for cyclist and pedestrian safety:

- Mr Ryan and Ms Cashen specifically stated that SRIWAG and the Northern Tunnel’s Community Reference Group had no opportunity to provide input into cyclist and pedestrian safety.⁴¹⁶ In their submission, they informed Committee that it was “*critical that pedestrian*

⁴⁰⁸ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, pp. 4, 7.

⁴⁰⁹ Michael, *Submission 13*, Row 35.

⁴¹⁰ Christine, *Submission 13*, Row 10.

⁴¹¹ Stephen, *Submission 13*, Row 26; Wally, Row 28; Greg, Row 49; Robert, Row 57.

⁴¹² DIT, *Torrens to Darlington Community Engagement Report*, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DAT_E_UPDATE.pdf (accessed 28 June 2022), p. 3.

⁴¹³ DIT, *Torrens to Darlington Community Engagement Report*, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DAT_E_UPDATE.pdf (accessed 28 June 2022), p. 14.

⁴¹⁴ DIT, *Torrens to Darlington Community Engagement Report*, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DAT_E_UPDATE.pdf (accessed 28 June 2022), p. 14.

⁴¹⁵ DIT, *Torrens to Darlington Community Engagement Report*, https://dit.sa.gov.au/_data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_2021_DAT_E_UPDATE.pdf (accessed 28 June 2022), p. 19.

⁴¹⁶ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 4.

and bike access is not only maintained as part of this project, but also improved via “bridges to maintain east/west connectivity, but also improved infrastructure for the whole section.” They highlighted linkages to the Linear Park pedestrian and cycling paths as crucial.⁴¹⁷

- Heather from the electorate of Badcoe worried that shared paths for pedestrians and cyclists would not be wide enough to accommodate both.⁴¹⁸
- Janine from the electorate of Badcoe was concerned about pedestrians trying to cross Anzac Highway near Kmart.⁴¹⁹
- Mary-Ann and Stephen from the electorate of Badcoe questioned the long walks for elderly people to access buses. They urged more crossing points for pedestrians, particularly for people who used wheelchairs.⁴²⁰
- Shannon from the electorate of Badcoe wanted additional safe bikeways incorporated into the surrounding areas adjacent to South Road.⁴²¹
- Vicky from the electorate of Badcoe was concerned about her cycling route to work.⁴²²

2.14 Any Other Matter

2.14.1 Loss of Heritage and Suburban Character

The Committee heard community concerns that the T2D project would inflict significant damage to the character of the suburbs through demolition of historic homes and heritage communities.

- Mr Luigi Rossi, a local architect, presented an alternative proposal in his submission that would significantly reduce property acquisition and demolition of character homes in historic suburbs.⁴²³
- Kate and Chris Lockyer felt that the heritage character zoning of Glandore seemed to “*account for little*”.⁴²⁴
- Respondents to the survey conducted in the electorate of Badcoe reflected concerns about a potential loss of heritage of character:
 - Samantha stated that “heritage conservation should be of paramount interest”,⁴²⁵
 - Kirsty felt that the character suburb of Glandore was being devalued with the loss of 110 homes,⁴²⁶
 - Vicky felt that demolition of 100-year-old character homes was destroying the neighbourhood history,⁴²⁷

⁴¹⁷ Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 7.

⁴¹⁸ Heather, *Submission 13*, Row 56.

⁴¹⁹ Janine, *Submission 13*, Row 20.

⁴²⁰ Mary-Ann and Stephen, *Submission 13*, Row 30.

⁴²¹ Shannon, *Submission 13*, Row 21.

⁴²² Vicky, *Submission 13*, Row 34.

⁴²³ Luigi Rossi, *Submission 7a*.

⁴²⁴ *Submission 11*, p. 1.

⁴²⁵ Samantha, *Submission 13*, Row 5.

⁴²⁶ Kirsty, *Submission 13*, Row 39.

⁴²⁷ Vicky, *Submission 13*, Row 34.

- Kate argued that Glandore was taking a “*big hit*” to its character;⁴²⁸
- Shannon thought the Anzac Highway flyover would ruin the “*boulevard feel*” of Anzac Highway with its trees;⁴²⁹
- Matthew also commented that the flyover was not appropriate and would take away from the attractiveness of Anzac Highway;⁴³⁰
- Mary-Ann and Stephen objected to the removal of the trees down Anzac Highway that acted as a memorial to returned servicemen and women. They considered that DIT’s treatment of Adelaide’s avenue of remembrance showed a “*total lack of respect*”;⁴³¹
- Claire raised the same point about the road as a memorial claiming the concept was “*dead*” if the flyover went ahead; and⁴³²
- Peter acknowledged that the elevated roadway served a purpose in some situations but would destroy the character of Adelaide’s inner suburbs.⁴³³

2.14.2 Timelines

At the hearing, Mr Braxton-Smith highlighted the “*extended period of time between early notification and when possession of properties is required*”. He stated this would give property owners the maximum amount of time to make informed decisions during the project’s long timeline.⁴³⁴ It would also precipitate DIT to take “*a flexible approach*” with the formal notice of acquisition that would normally trigger the acquisitions process within a certain time period. However, in the T2D project, the acquired property might not be required for that phase of the project for years. Mr Braxton-Smith indicated that DIT would work with property owners to agree on more suitable timing.⁴³⁵

However, the Inquiry submissions indicated that businesses and residents had little clarity or sense of collaboration from DIT and viewed the project’s timelines with negativity:

- Adapting to changing timelines caused concern for Peter from the electorate of Badcoe. With a purpose-built manufacturing facility employing 30 staff, he needed to make decisions about his business long before the start of the formal acquisition process. Originally discussions with DIT forewarned of a 2026 compulsory acquisition but the timeline was brought forward to 2024. This “*totally unacceptable*” timeline “*severely disadvantaged*” him as a business owner leasing premises.⁴³⁶
- The long rollout of the T2D project was identified in the Badcoe electorate survey as an issue for the community. Jennifer felt that the timeframe would have a “*significant impact*” on the local community for ten years, while Pauline was displeased at the notion of ten years of disrupted traffic.⁴³⁷ Elizabeth described the lengthy timeline as “*slow*”.⁴³⁸ Paul hoped that the

⁴²⁸ Kate, *Submission 13*, Row 33.

⁴²⁹ Shannon, *Submission 13*, Row 21.

⁴³⁰ Matthew, *Submission 13*, Row 52.

⁴³¹ Mary-Ann and Stephen, *Submission 13*, Row 30.

⁴³² Claire, *Submission 13*, Row 48.

⁴³³ Peter, *Submission 13*, Row 40.

⁴³⁴ Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 8.

⁴³⁵ Mr Braxton-Smith, *Committee Hansard*, 16 December 2021, p. 8.

⁴³⁶ Peter, *Submission 13*, Row 12.

⁴³⁷ Jennifer, *Submission 13*, Row 7; Pauline, Row 9.

⁴³⁸ Elizabeth, *Submission 13*, Row 15.

process would be broken into phases to minimise inconvenience to residents because ten years was a long time to live in a construction zone.⁴³⁹ Mary, Tony and Catherine felt ten years was too long.⁴⁴⁰

- Anne articulated these concerns well, stating that “the time frame is so long it is going to negatively impact the liveability of our suburb for an entire decade”.⁴⁴¹

2.14.3 Difficulty Crossing the Corridor

Some submitters and witnesses referred to the difficulties that the tunnels and construction would cause regarding travelling across the corridor.

- Ali from the electorate of Badcoe referred to the finished project as a “*dividing ditch*”.⁴⁴²
- Kirsty described east and west as being “*severed*”.⁴⁴³
- Emily was concerned with the ease of crossing the roadway.⁴⁴⁴
- Anne was concerned about crossing east to west.⁴⁴⁵ Peter’s biggest concern was keeping east-west traffic flowing smoothly, especially along Cross Road, Richmond Road, Henley Beach Road and along Sir Donald Bradman Drive.⁴⁴⁶
- Catherine lived on the western side of South Road and worried about accessing shops and schools on the opposite side, particularly with a chronic injury. She believed a ramped footbridge was likely to add two-three times the distance.⁴⁴⁷
- Mr Luigi Rossi, a local architect, presented an alternative proposal in his submission that he believed would improve walking and cycling access from east to west.⁴⁴⁸
- Representatives from SRIWAG argued that the northern portal would compromise the ability to cross South Road. It would be a “*concrete barrier to east-west connectivity*”, leaving an area of Thebarton and Torrensville divided and a “*wasteland populated only by traffic*.”⁴⁴⁹

⁴³⁹ Paul, *Submission 13*, Row 24.

⁴⁴⁰ Mary, *Submission 13*, Row 37; Tony, Row 53, Catherine, Row 55.

⁴⁴¹ Anne, *Submission 13*, Row 46.

⁴⁴² Ali, *Submission 13*, Row 13.

⁴⁴³ Kirsty, *Submission 13*, Row 39.

⁴⁴⁴ Emily, *Submission 13*, Row 17.

⁴⁴⁵ Anne, *Submission 13*, Row 46.

⁴⁴⁶ Peter, *Submission 13*, Row 44.

⁴⁴⁷ Catherine, *Submission 13*, Row 55.

⁴⁴⁸ Luigi Rossi, *Submission 7a*.

⁴⁴⁹ Ms Cashen, *Committee Hansard*, p. 42; Mr Ryan and Ms Cashen, SRIWAG, *Submission 12*, p. 6.

APPENDIX A: LIST OF SUBMISSIONS

No.	Name
1	Scott Rouse
2	Cheng Chang
3	Jason Sandercock and Nesha Sathurayar
4	Peter Andresakis
5	Robyn Myers
6	Kate Starr
7	Luigi Rossi
8	Kevin Schofield
9	Peter and Leanne Gordon
10	Peter Mourdoukoutas
11	Kate and Chris Lockyer
12	South Road Inner West Action Group (written by Gregg Ryan)
13	The Office of Jayne Stinson MP
14	Jason Chigwidden
15	Shane Mulraney
16	George Czerwinski
17	DIT




APPENDIX B: LIST OF WITNESSES

16 December 2021 – Constitution Room, Old Parliament House, Adelaide	
1	Hon John Darley, Member of the Legislative Council
2	Mr Tony Braxton-Smith, Chief Executive Officer, Department for Infrastructure and Transport Ms Susana Fueyo, Executive Director, North-South Corridor Project, Department for Infrastructure and Transport Mr Steve McQuillan, Director, Property, Across Government Services, Department for Infrastructure and Transport Mr Jon Whelan, Executive Director, Transport Project Delivery, Department for Infrastructure and Transport
3	Dr Duygu Yengin, Director, Gender Equity, Diversity and Inclusion, Faculty of Professions, University of Adelaide
4	Mr Don Bishop, Member, Parkside Fullarton Traffic Group Ms Sharon Hetzel, Convenor, Parkside Fullarton Traffic Group
5	Mr John Lombardi, resident of Norwood
6	Ms Catherine Cashen, Representative, South Road Inner West Action Group Mr Gregg Ryan, Representative, South Road Inner West Action Group
7	Mr Thomas Martin, Company Director, Nordburger
8	Mr Peter Ory, resident of Maylands Mrs Karen Ory, resident of Maylands

Questions on Notice

1 Mr Tony Braxton-Smith, Chief Executive Officer, DIT, on 21 January 2022.

APPENDIX C: DIT ENGAGEMENT METHOD AND OUTCOMES FOR T2D

Method	Task	Outcome
 Online engagement To provide information and capture feedback.	<p>Project webpage provided an overview of the Project and engagement campaign, including fact sheets, location details and links to the high-level access diagram, community survey and community value map.</p> <p>Community survey allowed the community to provide feedback on the high level motorway diagram by completing a survey that also included open-ended questions to allow general feedback.</p> <p>Community value map allowed community to provide location-specific feedback on places of value along an interactive map of South Road using a comment pin.</p>	<p>3,607 community survey responses.</p> <p>104 pieces of feedback on the community value map.</p>
 Mail notifications To communicate with residents and businesses in and around the project area and promote survey completion.	<p>Letterbox drop of a flyer to properties along the corridor to promote the engagement campaign. People could access the survey by using a QR Code.</p> <p>eDMs to 4,000 key stakeholders and project subscribers to inform them about the project and promote the survey.</p>	<p>Reached 1,449 properties.</p> <p>811 new project subscribers.</p>
 Promotion To inform the broader community and road users, and promote survey completion.	<p>Social posts on Facebook on 16 June 2021 and 6 July 2021 to raise awareness of the project, invite people to complete the survey and encourage people to click through to the engagement website.</p> <p>Advertiser Advertisement on 3 July 2021 to encourage people from the broader community to complete the survey using a QR code and prompt them to visit the project website to learn about the project.</p>	<p>Social media reached more than 48,000 people with 1,085 click-throughs to the website.</p>
 Contact centre To enable enquiries from interested community members.	<p>Phone and email enquiries received from the public were responded to by the Project team.</p>	<p>Responded to 217 phone calls and emails during the engagement period.</p>
 Community events To increase awareness and provide opportunity to discuss priorities and concerns.	<p>Roadshows were held at Brickworks, Westfield Marion and Castle Plaza, with 16 pop-ups and 11 static displays at local shops, schools, cafes, councils and libraries. Events targeted local foot traffic and enabled community members to view the high-level diagram, ask questions and sign up for project updates. Fact sheets and hardcopy surveys were also available.</p>	<p>Conversations with 1,368 local business people and residents at roadshows.</p> <p>Conversations with 126 people at pop-ups.</p>

Source: DIT, T2D: Community Engagement Report, https://dit.sa.gov.au/data/assets/pdf_file/0008/885446/T2D_Community_Engagement_Report_FINAL.pdf (accessed 23 May 2022), p. 9.

Dissenting Report – The North South Corridor - Vincent Tarzia MP and Ashton Hurn MP

This report comments on several aspects of the project which are of concern including:

- a. Unnecessary delays in the project;
- b. Unjustified and unnecessary movement of staff; and
- c. Cost blowouts.

Introduction

Once complete, the North-South Corridor will form a set of connecting motorways from Old Noarlunga in the southern metropolitan area of Adelaide through to the northern metropolitan town of Gawler. This corridor will form a 78km continuous link through Adelaide connecting the north and south.

This infrastructure project is the most expensive of its kind in South Australian history, initially valued at over \$9 billion. Since then, it has undergone significant delays and faces a project cost blowout of several billions of dollars.

a. Unnecessary delays in the project

Since coming into Government, the Labor Government has delayed the Torrens to Darlington leg of the North-South corridor by a year, pushing the start of its construction to 2024 and in doing so pushing the completion of the North-South corridor to at least 2031. Purported issues with the design released in 2021, stand in contradiction of Infrastructure South Australia and Infrastructure Australia's assessment of the Torrens to Darlington leg, which determined that the design was reasonable, and that the timeline was possibly even conservative.

b. Unjustified and unnecessary movement of staff

Early into the State Labor Government's term, the Executive Director of North-South Corridor project, Ms Susana Fueyo Suarez, was abruptly terminated from her position. Ms Suarez was delivered an ultimatum by Chief Executive Jon Whelan to either resign or be sacked, with Ms Suarez choosing the latter having not been afforded an opportunity to even farewell her colleagues. Despite the fact that Ms Suarez boasted deeply impressive qualifications, including 25 years of experience working on major infrastructure projects in Europe and North America, the Department determined that she was unsuitable to lead the project.

c. Cost Blowouts

The Torrens to Darlington leg of this project has thus far resulted in a predicted \$4 billion cost blowout, which has not been assisted by design revisions and the mentioned staff termination.

We call on the Government to expediently and competently deliver the completion of the North South Corridor in the interests of South Australians.