

O-BAHN CITY ACCESS PROJECT

SUBMISSION BY THE ADELAIDE PARK LANDS PRESERVATION ASSOCIATION, Inc.

1 EXECUTIVE SUMMARY

The State Government has proposed (and already started preparatory work on) a project to direct O-Bahn buses, two lanes of normal vehicular traffic, plus room for future trams on the equivalent of a six-lane new transport corridor that will bisect one of Adelaide's most popular parks, Rymill Park.

Part of the proposal includes an undertaking that the "O-Bahn City Access Project" would facilitate the return of approximately 3,000 square metres of Park Lands.

The Adelaide Park Lands Preservation Association, Inc (APPA) shares the Government's desire to encourage usage of public transport and welcomes the success, over recent years, of the O-Bahn system. However, APPA objects to the Government's

- very short, misleading, and essentially sham consultation process which has fostered a mistaken public belief that the project involves a tunnel underneath Rymill Park; exclusively for O-Bahn buses; and
- efforts to link return of 3,000m² of Park Lands to new alienation of Park Lands. The land proposed for return could be returned to Park Lands regardless of whether the O-Bahn City Access Project goes ahead or not.

APPA believes the Government's proposal is over-reaching, in that instead of just prioritising O-Bahn buses, the Government wants to prioritise all vehicular traffic with a ground-level highway that would cut a broad swathe through one of the most popular parts of Adelaide's National Heritage-listed Park Lands.

APPA also expresses doubt about whether there is any legal mechanism (short of a new Act of Parliament) under which such a project could be authorised.



2 BACKGROUND

2.1 The Adelaide Park Lands Preservation Association

APPA was founded and exists to pursue eight objectives. These objectives are to ensure that:

- A. the Park Lands are available for use by the general public;
- B. the public, so far as practicable, has free and unrestricted access to the Park Lands;
- C. the Park Lands are reserved as a place for public recreation, leisure and enjoyment;
- D. alienated areas of the Park Lands are restored for recreational use, preferably as open space;
- E. the open space character of the Park Lands as a place dividing the City of Adelaide from the suburbs is preserved;
- F. the Park Lands are preserved and maintained in a manner that enhances their special place in the design of the City of Adelaide;
- G. the amenity of the Park Lands is not impaired by inappropriate development of nearby lands;
- H. the Park Lands are included on State, National and World Heritage lists.

In pursuing these objectives, APPA finds itself in sympathy with some of DPTI's objectives. See Section 3 below.

2.2 The O-Bahn City Access Project

On 25 February 2015, the Department of Planning, Transport and Infrastructure (DPTI) unveiled plans for what it described as the "O-Bahn City Access Project" to "extend the O-Bahn track from Hackney Road into the cross-city priority (bus) lanes on Grenfell Street."

This is not the first time that plans for extending the O-Bahn route from Hackney to the city have been announced. From 2009 to 2011, Federal funding of \$61 million was offered to create dedicated O-Bahn bus lanes from Gilberton to the city, along Hackney Road, Dequetteville Terrace, Rundle Road, East Terrace and along Grenfell and Currie Streets, to terminate at West Terrace. However, this earlier project did not involve a continuation of the guided busway tracks.

Prioritising buses on our roads is one thing. APPA has no concerns about the dedicated bus lanes in Grenfell Street and Currie Street, nor the concept of guided tracks for trains, trams or buses. On the other hand, prioritising *all* vehicular traffic at the expense of Park Lands is quite a different matter.

At the time of writing, details of the latest proposal were available here:

http://www.infrastructure.sa.gov.au/public_transport_projects/o-bahn_city_access

3 POINTS OF AGREEMENT OR NON-CONTENTION

3.1 Changing Park boundaries

Although Rymill Park / Murlawirrapurka (Park 14) and Rundle Park (Kadlitpina (Park 13) are separately identified as Parks 13 and 14, APPA would not object if they were joined to become one, or if the demarcation between them was altered. The separation of the Adelaide Park Lands into 30 separate parks has utility in aiding identification of specific sites, but it is the totality of the Park Lands that is APPA's main concern. The proposed "realignment of Rundle Road" if it goes ahead, would presumably shift the demarcation between the two Parks so that the area of Rundle Park would be expanded and the area of Rymill Park would be diminished. That fact alone is not regarded as material in the present context.

3.2 Return of Rundle Road to Park Lands

The loss of the existing alignment of Rundle Road may be of concern to some, but to APPA it would be a welcome return of Park Lands. APPA notes that the Adelaide Park Lands Authority is seeking the retention of Rundle Road as a thoroughfare. APPA submits that if Rundle Road is to be retained, it could and should be narrowed from two lanes in each direction, to just one lane, to minimise its Park Lands footprint. This need not affect the availability of car parking spaces.

3.3 Success of public transport in general

APPA shares the Government's desire to encourage usage of public transport and welcomes the success of the O-Bahn system. Public transport, walking and cycling should all be encouraged over the use of private vehicles, for a variety of reasons, including the minimisation of demand for vehicle parking, both on Park Lands, and roads through the Park Lands.

3.4 O-Bahn route prior to crossing Park Lands

APPA has no concern with DPTI's proposals for the O-Bahn route along Hackney Rd, nor the proposal for a tunnel under the Botanic Rd intersection, subject only to concerns about possible loss of mature trees in Rundle Park during proposed tunnelling under Dequetteville Terrace.

3.5 Return of Park Lands

A prominent feature of the Government publicity has been an undertaking that the "O-Bahn City Access Project" would facilitate the return of approximately 3,000 square metres of Park Lands, primarily through the closure (or-re-routing) of Rundle Road.

Proposals to *alienate* Park Lands are made very frequently. Plans to *return* any Park Lands occur far less often. In view of APPA's Objective "D" (to seek restoration of previously-alienated Park Lands) a proposal to return 3,000 square metres is something that APPA cannot lightly dismiss.

This matter will be addressed separately, below. In the meantime, however, APPA has a number of serious concerns about the Government proposals.

4 POINTS OF DISAGREEMENT OR CONTENTION

4.1 Consultation Period far too short

The consultation period began with the Government's announcement on 25 February. Public submissions were being sought only until 2 April - a period of just 36 days. In some published materials, DPTI has stated submissions close two days earlier - 31 March. This is a very short window of opportunity for genuine consultation on what is one of, if not the most significant proposal to affect the Adelaide Park Lands in a generation, if not longer.

4.2 Sham consultation

Despite seeking public feedback, DPTI is adamant that the project is going ahead. A letter to residents and business proprietors, dated 12 March 2015, from DPTI General Manager, Project Delivery and Asset Maintenance, Luigi Rossi states that the work will commence in the second half of 2015 subject only to "statutory approvals":

O-Bahn City Access Project

Works advice

Dear Resident / Business Proprietor,

You may be aware of the recently announced proposed alignment for the \$160 million O-Bahn City Access Project, to extend the O-Bahn track from the current exit point at Gilberton into the cross-city priority bus lanes on Grenfell Street.

Subject to statutory approvals, construction of the O-Bahn City Access Project is expected to commence in the second half of 2015 for completion in second half of 2017.

A conceptual design has been released and is currently open for consultation to ensure specific and wider community issues are taken into account in the detailed design.

In the coming weeks, we will be undertaking investigative works including geotechnical testing and service location at various points along the proposed alignment. This will involve the use of a drilling rig to take soil samples and undertake water pump tests to determine the additional information on aquifer interaction.

These works will commence from Tuesday 17 March and will include locations on Hackney Road, Dequetteville Terrace, Westbury Street, and within Rundle and Rymill Parks. It is anticipated these investigations will take 6-7 weeks.

To minimise disruption to commuters, most of the works at locations on Hackney Road, Dequetteville Terrace and East Terrace will occur at night, on weekends and outside peak times. The drilling works on Westbury Street are planned during the day to minimise the impact to adjacent residents. Some traffic restrictions will be in place during the works. Please follow the directions of traffic control staff and all construction and detour signs.

We would like to develop a stakeholder register to enable us to provide relevant information and updates as they become available. Please register your interest in receiving this information and provide us with your comments by completing the feedback form online at:

www.infrastructure.sa.gov.au/public_transport_projects/o-bahn_city_access/feedback_form or returning your completed form to O-Bahn City Access Project, Reply Paid 83100, Adelaide SA 5000 (no stamp required). For further information about these works, please contact the project team on 1300 443 198 or email dpti.obahn@sa.gov.au.

Luigi Rossi
General Manager, Project Delivery and Asset Maintenance
12 March 2015

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For further information or to provide feedback
Visit: www.infrastructure.sa.gov.au
Phone: 1300 443 198
Email: DPTI.OBahn@sa.gov.au
Write: PO Box 1533, Adelaide SA 5001



Government of South Australia
Department of Planning,
Transport and Infrastructure

Despite the lack of any identified statutory approval to date, geo-technical testing commenced soon afterwards - as observed on 24 March:



DPTI therefore has left little doubt that public feedback appears irrelevant to the Government's prior decision to proceed.

Several APPA members have been unable to make submissions to DPTI on this proposal. There have been persistent recent reports of attempts to make submissions, which have been met with this error message:

Bad Request

The CSRF token could not be verified.

The request could not be understood by the server due to malformed syntax. Please do not repeat the request without modifications.

If you think this is a server error, please contact the webmaster.

2015-03-23 05:52:35

The persistence of this problem during the brief consultation window casts further doubt on the nature of the Government's "consultation".

4.3 No legal authority identified to undertake work

The phrase "Subject to statutory approvals" used in Mr Rossi's letter (above) is an interesting choice of words. There can be no doubt that the works proposed are contrary to the existing Park Lands Management Strategy for the Adelaide Park Lands.

Nowhere in DPTI's published materials is there any explanation of the statutory authority under which the works are proposed to be authorised, nor why work has already commenced in the absence of "statutory approvals".

The *Roads (Opening and Closing) Act 1991* provides a mechanism (in Part 7B) which enables the Commissioner of Highways to make an application to the Minister to make a road in the Adelaide Park Lands "wider, narrower, longer or shorter". However these provisions do not permit the *relocation* of a road as the Government is proposing.

APPA seeks an explanation of the proposed statutory authority for the proposed works. In the absence of such explanation, APPA expresses some doubt about whether there is any legal mechanism (short of a new Act of Parliament) under which such a project could be authorised.

4.4 Misleading material in Consultation

Materials distributed from 25 February have given a false impression to the public about the nature of the proposed roadway through Rymill Park.

4.4.1 Feedback sheet:

Under the heading "Your feedback is important" DPTI has asked: "To what extent do you agree with these [following] features being incorporated into the design?"

Third on the list of features is this one:

- "A guided track tunnel under busy intersections and parklands, connecting at ground level into Grenfell Street/East Terrace intersection"

The choices are merely "Agree" or "Disagree".

This so-called "feature" is misleading for two reasons. Firstly, it refers only to a tunnel, not an above-ground roadway, as DPTI is proposing. Secondly, it refers only to a guided track (i.e. for O-Bahn buses) and omits any reference to the proposed additional lanes of other vehicular traffic, nor additional width for future trams.

4.4.2 "Important Information for Property Owners/Occupiers":

This leaflet states that the proposed new roadway "will sweep in a south westerly direction through Rundle Park, under Rundle Road and then Rymill Park, returning to ground level and connecting into the (realigned) Grenfell Street / East Terrace intersection".

4.4.3 DPTI's "Background" leaflet :

The leaflet states:

"The O-Bahn City Access Project will extend the O-Bahn track by providing bus only priority lanes along Hackney Road then continuing via a guided track tunnel under the busy intersections and parklands to return to ground level and connect with the cross-city priority bus lanes."

These three references give the distinct (and erroneous) impression that the proposed route is in tunnel (and confined only to O-Bahn buses) until it reaches Grenfell Street / East Terrace.

As a result, many members of the public - labouring under these false impressions - are likely to have given feedback that might have been very different, had they known the truth.

The proposed route is in fact on the surface passing close to the North-Western edge of the Rymill Park lake.

On the evening of 23 March 2015, at a "Save Rymill Park" community event in the East End, the Transport Minister Stephen Mullighan acknowledged the misleading nature of this material but did not accept that it invalidated the consultation process.

4.4.4 East Terrace?

The fly-through video on the DPTI web site seems to indicate a significant widening of East Terrace from Grenfell Street to North Terrace, with lateral car parking both sides. There is no detail available to confirm or quantify what effect this might have on Park Lands.

There is a pocket of Park Lands West of East Terrace (fronting the old Converter Station) between Grenfell Street and Pirie Street. It would seem that this part of the Park Lands (including some heritage trees) forming part of a secluded frontage to the historic buildings to the west, will also be lost.

4.5 Character of Rymill Park - destruction of amenity

This beautiful area is often considered the "jewel in the crown" of the eastern parklands – and is widely used by all ages. It is a much-loved haven of peace close to the bustle of the city centre. That serenity would be deleteriously impacted by the noise and visual impact of the new O-Bahn busway, cars and trucks passing very closely alongside.

APPA acknowledges that under the Government's proposal, the majority of Rymill Park including the lake would be preserved on the southern side of the proposed roadway. However the proximity of such a wide and busy thoroughfare would irrevocably damage what is currently a serene haven of peace and quiet, enjoyed by Adelaideans for generations. It cannot be seen as consistent with the Government's stated aim to "preserve the amenity of the Parklands and respect heritage items" (DPTI: "Key Benefits" leaflet).

In 2008, when the Adelaide Park Lands were accepted for National Heritage listing by the Federal Department of the Environment, it was noted that "the Adelaide Park Lands and City Layout is widely regarded as a masterwork of urban design"

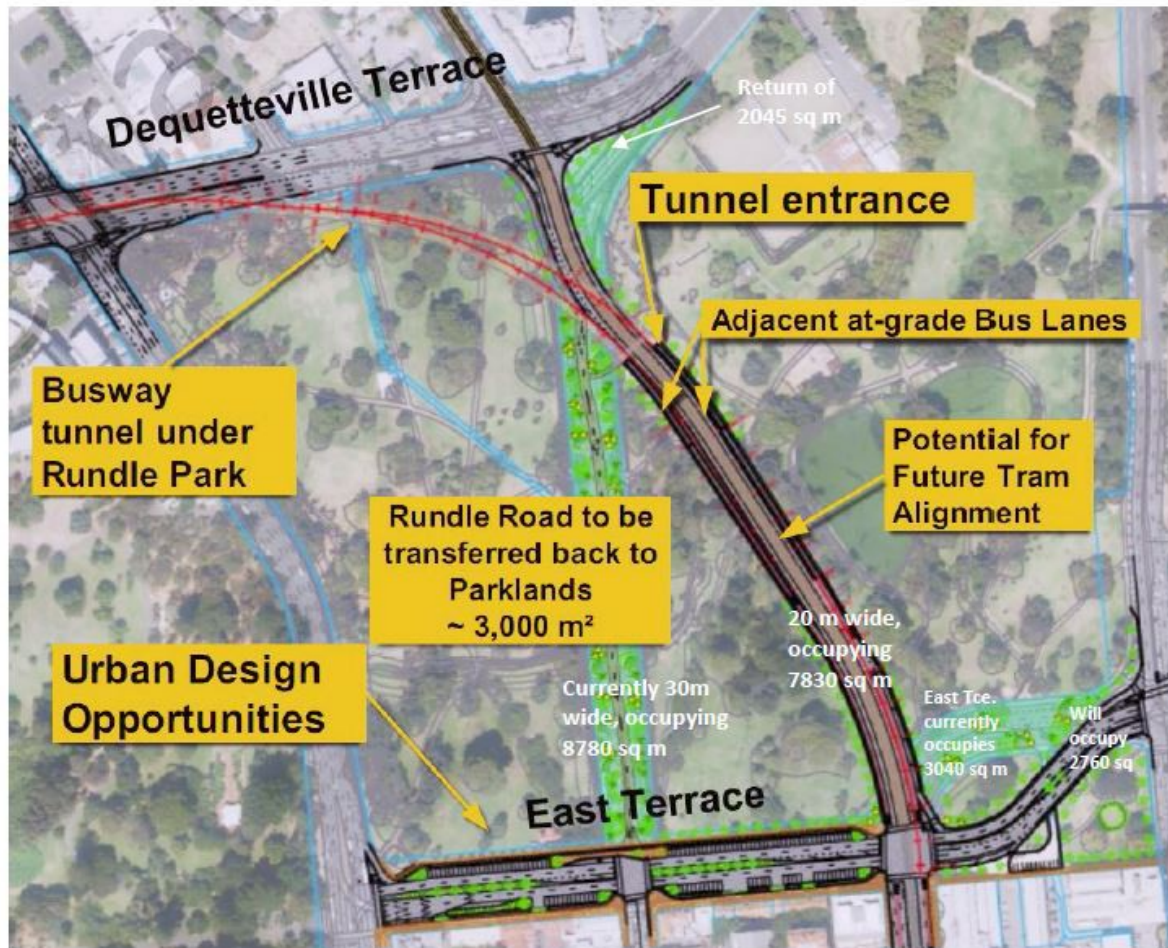
A "masterwork of urban design" should be altered only with great discretion. If and when any change is proposed, it should be the result of careful considered planning to an equally high standard of design - rather than merely the by-product of a change to a public transport access route, on which abbreviated public consultation has been entered only, apparently in a token manner.

4.6 Lack of future North-South pedestrian access between the two parks

APPA notes that the current proposal incorporates no pedestrian access between the enlarged Rundle Park and the diminished Rymill Park, other than what would presumably remain as distant crossing points at Dequetteville Terrace and East Terrace. There appears to have been no provision made for a crossing near the Rymill Park lake, playground and cafe.

4.7 Identifying the "3,000 square metres"

APPA asked DPTI to identify the precise area calculations that allow the claim that DPTI's proposal would allow the return to Park Lands of 3,000 square metres. At the time of writing, no clarification had been received directly from DPTI but relevant material was provided to the Adelaide Park Lands Authority for its meeting on 26 March 2015.



From the DPTI diagram, it is suggested that the proposed gains in Park Lands are primarily from the left turn area at the corner of Dequetteville Terrace and Rundle Road (2,045 square metres) and from replacing an existing road 30 metres wide (occupying 8,780 m²) with a new road supposedly only 20 metres wide (occupying 7,830 m²).

The proposed net gain to Park Lands of 3,000 square metres, if accurate, needs to be seen in context. Since 1837, Adelaide's Park Lands have been shrinking at a conservatively estimated rate of more than 4,300 square metres per year.¹ The proposed net gain, therefore, would offset only a few months shrinkage of the Park Lands, less than half of one per cent of the total loss, and less than 0.005% of the Adelaide Park Lands.

Having said that, APPA still does not regard 3,000 square metres as insignificant. But the context matters more than the numbers. There are two reasons which have led APPA to reject this offer of a return of Park Lands

4.7.1 The land could be returned irrespective of the proposed project

Both the land at the corner of Dequetteville Terrace and Rundle Road could and should be returned to parklands anyway, irrespective of this project.

If DPTI is proposing to shoehorn four vehicular lanes, and two tram lanes onto a proposed carriageway only 20 metres wide, then why can it not fit as much (or more) traffic onto the existing 30-metre wide carriageway of Rundle Road, without disturbing Rymill Park at all?



It is obvious that Rundle Road is far wider than necessary and could be narrowed (and partly returned to Park Lands) with little if any inconvenience to the motoring public. What's more, this could occur irrespective of this proposed project.

The inescapable conclusion is that the land proposed for possible Park Lands return is merely a bargaining chip. In effect, the land is being held hostage with a ransom price of a new road, totalling 7.830 square metres being cut through Rymill Park.

¹ From Light's original survey of 931 hectares of Park Lands, there was a substantial original loss of 154 ha to "Government Reserves" in 1837 which does not form part of this calculation. Alienations between 1837 and 1987 are estimated to have totalled more than 84 ha. (Daly, J.W. *"Decisions and Disasters - Alienations of the Adelaide Parklands"* - 1987, Bland House) No accurate figure exists for alienations since 1987 (e.g. National Wine Centre, Hyatt Hotel, Riverside Office Tower, Adelaide Convention Centre, extension of Adelaide High School, etc) but even if it is assumed that there has been no net loss since 1987, the current area would be around 700ha, (i.e. 7 million m²) representing a loss of at least 77 ha (i.e. 770,000m²) over 179 years, at an average rate of 4,300m² per year.

4.7.2 Comparison of the parcels of land

A comparison of the respective parcels of land lead to the conclusion that the existing integrity of Rymill Park is of greater heritage and cultural significance than the benefit of land that might be returned to Park Lands.

The Rymill Park Land that would be lost under this ransom demand has been landscaped for generations, contains a number of significant trees and forms part of Adelaide's cultural heritage, which should not be cast aside for something as insignificant as a short reduction in current commuting times.



4.8 Turning Parks into "event spaces"

The illustrations released by DPTI suggest that a new enlarged Rundle Park would be flat, on the same level as the road. At present, both Rymill Park and Rundle Parks have significant undulations, including Botanic Creek which runs through both.

The creek bed is shown as having been filled in, and all of the trees in the hollows would also be lost in the process of levelling the parks. This may be simply an error, an oversimplification of the visual representation. However, concerns have been heightened by the terminology used in a News Release by the Minister for Infrastructure, dated 1st March in which he said "this is a rare chance to turn the East Park Lands into a world class outdoor events space"

There is a big difference between on the one hand, holding events in the Park Lands, and on the other hand turning Park Lands into "event spaces". Re-shaping Park Lands into "event Spaces" is not consistent with the nature of Park Lands or the principles that underpin the management of the Park Lands, such as that:

"...the Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced;²

Refer also to the first three of APPA's Objectives, listed above.

5 ADELAIDE PARKLANDS AUTHORITY

APPA is not alone in its concerns about DPTI's proposal. The Adelaide Park Lands Authority at its meeting at the Adelaide Town Hall on Thursday 26 March, 2015 carried the following resolution:

Agenda Item 7 – O-Bahn City Access Proposal [2007/00341] [APLA]

The Adelaide Park Lands Authority, in respect to the O-Bahn City Access proposal:

1. Advises the Minister for Transport and Infrastructure that it:
 - 1.1. Is conscious of the transport needs of the City and metropolitan area and the need for improved public transport infrastructure, however has significant concerns regarding the impacts on Rymill Park / Murlawirrapurka and the Rymill Park Lake.
 - 1.2. Has concerns regarding the width of the proposed road corridor through Rymill Park / Murlawirrapurka, particularly as it relates to the creation of a significant barrier to movement by pedestrians and cyclists and therefore recommends that Rundle Road remain open-to facilitate car access to the East End subject to:
 - 1.2.1. The tunnel component of the project under Rymill Park / Murlawirrapurka being extended westwards to Grenfell Street as far as possible westward from the western tip of Rymill Lake.
 - 1.2.2. The width of the new tunnel being reduced to two lanes, for the use of O-Bahn buses only, unless Rundle Road is closed and returned to Park lands then in that case the tunnel may be widened to accommodate car lanes.
 - 1.3. Supports the proposed new footbridge across the River Torrens, adjacent to the Hackney Road Bridge

² Adelaide Park Lands Act 2005 s4(1)(d)

- 1.4. Does not oppose the proposed re-alignment of East Terrace
 - 1.5. Recommends adequate funds be provided for re-landscaping works on the Park Lands, as agreed by Council
 - 1.6. Is concerned about the proposed number of trees which may require removal
 - 1.7. Recommends that the project be referred to the Australian Government for assessment against the Values of the National Heritage Listing for the Adelaide Park Lands and City Layout
 - 1.8. Is concerned that insufficient information has been provided to facilitate considered advice, therefore, to encourage a collaborative approach to progressing this project, endorses the set of guiding principles developed by Council Administration, as identified in Item 7 on the Agenda for the meeting of the Board of the Adelaide Park Lands Authority held on 26 March 2015
2. Advises Council of its position on the matter.

APPA welcomes the contribution made by the Adelaide Park Lands Authority, and endorses the position taken by the Authority. That is to say, APPA would support a guided busway through Rymill Park only if it was laid entirely (or almost entirely) as a tunnel, and confined to O-Bahn buses, which would achieve DPTI's main aim of prioritising this transport route.

If this occurs, APPA would recommend that Rundle Road remain open, although unlike the Park Lands Authority, APPA calls for Rundle Road to be narrowed to a single lane in each direction, so that it can be partially returned to Park Lands.

6 SUMMARY - ATTEMPTED OVER-REACH

APPA is concerned that a justifiable desire to improve the efficiency of a public transport route has led DPTI to propose something far greater, more ambitious and ultimately over-reaching.

Rather than simply focus on the desirability of improving O-Bahn bus access, DPTI has widened its aims, and is intent on facilitating all vehicular access through a new, wide access route, with little if any regard to the integrity of Adelaide's greatest asset, its world-unique Park Lands.

DPTI is supposedly undertaking public consultation on this proposal, but has issued materials which are clearly misleading, offering a very short window of time for comments, and has commenced preparatory work without waiting for the result of the consultation.

It has not identified any legal mechanism which would permit a new road to impact on the National-Heritage listed Adelaide Park Lands, in proposed breach of the Adelaide Park Lands Management Strategy. If an Act of Parliament would be required, then DPTI should immediately postpone any work, pending Parliament's consideration of a Bill.

Although DPTI has offered to facilitate the return of 3,000 square metres of unrelated land to Park Lands, most if not all of the land in question could be returned irrespective of whether this proposal goes ahead or not. In effect, up to 3,000 square metres of former Park Lands is being held hostage, with a ransom demand that the land will be returned only if Rymill Park is bisected by a six lane above-ground highway space.

The public is being led to believe, erroneously, that the proposal is for only two bus lanes, out of sight underneath Rymill Park. If this were the case, APPA could endorse the plan.

However the reality is much more serious. APPA submits that the integrity of the master plan for the Adelaide Park Lands as well as the cultural and social benefit of an intact Rymill Park outweighs any potential benefits of having the width of six lanes of traffic bisect the “jewel in the crown” of the eastern parklands.



Proposed route