

EXPLANATORY STATEMENT

Minister for Transport and Regional Services

AusLink (National Land Transport) Act 2005

DETERMINATION UNDER SECTION 6

This statement is supplied for the determination under subsection 6 (1) of the *AusLink (National Land Transport) Act 2005* made by the Minister for Transport and Regional Services on 11 January 2007.

Section 5 of the *AusLink (National Land Transport) Act 2005* ('the Act') requires the Minister for Transport and Regional Services to determine a National Land Transport Network. The *AusLink (National Land Transport) Act 2005 National Land Transport Network Determination 2005 (No. 1)* (the Determination) was made on 12 October 2005.

The principal purpose of determining the National Land Transport Network is to establish the roads and railways on which projects can be approved for funding as AusLink National Projects under Part 3 of the Act.

Section 6 of the Act allows the Minister to vary the National Land Transport Network, as long as the variation, once made, accords with the requirements of section 5 of the Act.

Item 1 of the Sydney Urban Corridor description in Schedule 1 of the Determination states:

'The Hume Highway from its connection to the F5 Freeway at Prestons to the Cumberland Highway, thence the Cumberland Highway to its connection to the Sydney-Newcastle Freeway (F3) junction at Wahroonga.'

Following the completion of the WestLink M7 project, those parts of the Hume and Cumberland Highways that are no longer required as part of the Network need to be deleted from the description at Item 1 and the following description put in its place:

'The Cumberland Highway from its connection with the M2 at Carlingford to its connection with the Sydney-Newcastle Freeway (F3) at Wahroonga.'

This variation creates no conflict with the requirements of Section 5 of the Act.

Subsection 6(3) of the Act provides that the determination is a legislative instrument for purposes of the *Legislative Instruments Act 2003* but neither Section 42 nor Part 6 of that Act applies to it.