

AusLink (National Land Transport) Act National Land Transport Network Determination 2005 (No.1) Variation 2

Made under section 6 of the *AusLink (National Land Transport) Act 2005*

Explanatory Statement

Issued by the authority of the Minister for Infrastructure, Transport, Regional
Development and Local Government

September 2008

1. LEGISLATIVE CONTEXT

Section 5 of the *AusLink (National Land Transport) Act 2005* requires that the Minister for Infrastructure, Transport, Regional Development and Local Government determines a National Land Transport Network. 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. The AusLink (National Land Transport) Act 2005 National Land Transport Network Determination 2005 (No. 1) was made on 12 October 2005 and was varied on 11 January 2007.

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.

2. CONTENT AND EFFECT OF VARIATION 2

2.1. Overview of the Network Determination

The AusLink National Network was designed as the focus of Australian Government investment and represents the “backbone” of the transport system, i.e. the links of strategic national importance, including major freight corridors and links to ports, airports and other centres of inter-modal activity. The selection of corridors was based largely on freight volumes and traffic movements but recognised the need for national connectivity between some of the more remote centres such as Darwin and Perth.

The Network includes:

- rail links because, with the prospective increase in freight demand, Australia needs a high-performing rail system to take some of the load off roads;
- urban links to ports, airports and other inter-modal facilities in order to deliver productivity growth and relieve the freight-choked links to ports, airports and terminals; and
- major inter-regional links that are nationally important for increasing economic growth.

The National Network Determination is used throughout the Act as a requirement for funding eligibility. AusLink National Projects under Part 3 of the Act must be on the Network while Strategic Regional Projects under Part 6 must be non-Network.

2.2. Changes to the Network Determination

2.2.1. Geelong Ring Road

Section 3(2) varies the determination to add proposed Stages 4A and 4B. It also changes the name from Geelong bypass to Geelong Ring Road. The project is currently known as the Geelong Ring Road, the name has been changed in the determination to avoid confusion and accurately reflect the proposed network link.

A bypass of Geelong will provide benefits for the movement of freight onto the AusLink National Network. It will also alleviate pressure on the current internal road network by bypassing the congested Central Business District of Geelong.

Stages 4A and 4B of the Geelong Ring Road will provide improved safety and efficiency for land transport operations, particularly through bypassing the suburb of Waurn Ponds and providing higher standard interchanges to connect to the road network. Efficiency will also be improved through the extension of the high speed freeway network.

The Australian Government has committed \$186 million for Stages 1, 2 and 3 of the Geelong Ring Road under the current AusLink program and a further \$107.5 million for Stages 4A (\$62.5 million) and 4B (\$45 million) under AusLink 2, bringing the total commitment to \$293.5 million. Stages 4A and 4B of the Geelong Ring Road must be added to the AusLink National Network to be funded as AusLink National Projects under Part 3 of the Act.

2.2.2. Townsville Port Access Road

Section 3(3) adds the proposed Townsville Port Access Road to the Townsville-Mt Isa section of the National Network. The proposed road extends from the Flinders Highway to the gates of the Port of Townsville.

The Australian Government has committed \$95 million in joint funds with the Queensland Government for a \$190 million project to build the Townsville Port Access Road. For the Australian Government to provide funding for this road as an AusLink National Project it must be added to the AusLink National Network.

The proposed Townsville Port Access Road provides for the import, export and supply chain for north Queensland and in particular the north western mineral province around Mount Isa and Cloncurry. The road will enable quicker, more reliable and cheaper access to the port, enhancing economic benefits to the national economy from existing industry and providing for expected growth in the region. The existing route to the port has operational constraints due to adjacent residential development.

This link connects to the Bruce and Flinders Highways. Both these roads are on the AusLink National Network with the Bruce Highway forming the Brisbane-Cairns corridor and the Flinders Highway part of the Townsville-Mt Isa corridor.

2.2.3. Tiger Brennan Drive

Section 3(4) adds the proposed Tiger Brennan Drive extension to the Adelaide (Port Augusta)-Darwin section of the National Network. The proposed road extends the existing Tiger Brennan Drive from its junction with Berrimah Road to the Stuart Highway at the Roystonea Avenue intersection in Darwin, Northern Territory.

The Tiger Brennan Drive extension will provide for a more direct route between Darwin and Palmerston in the Northern Territory and form a key part of the road network servicing the Darwin region. It will also accommodate projected traffic demands from continued population growth and expansion of the East Arm industrial zone. The enhanced link into the East Arm Port area will improve interstate and regional freight movements for imports and exports, strengthening Darwin's position as a major Australian gateway to South-East Asia.

The Australian Government has announced a commitment of \$36 million towards a \$72 million scope of works for the Tiger Brennan Drive/East Arm Port Access project. The relevant extension of Tiger Brennan Drive must be added to the AusLink National Network to be funded as an AusLink National Project under Part 3 of the Act.

The Australian Government has also announced a commitment of up to \$38 million to grade separate the intersection of the proposed Tiger Brennan Drive extension with the Stuart Highway.

2.3. Documents Incorporated by Reference

This legislative instrument does not incorporate any documents by reference.

2.4. Disallowance and Sunsetting

This legislative instrument is exempt from section 42 (Disallowance) and Part 6 (Sunsetting) of *Legislative Instruments Act 2003* (section 6(3) of the *AusLink (National Land Transport) Act 2005*).

2.5. Publication

Section 7 of the AusLink Act requires that any variation to the National Network be published. Registration of the variation instrument on the Federal Register of Legislative Instruments satisfies this requirement.

3. BEST PRACTICE REGULATION

3.1. Regulatory Assessment

This instrument does not involve any regulatory or quasi-regulatory measures and as such does not require regulatory assessment.
