AusLink (National Land Transport) Act National Land Transport Network Determination 2005 (No.1) Variation 3

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

January 2009

1. LEGISLATIVE CONTEXT

Section 5 of the *AusLink (National Land Transport) Act 2005* (the Act) requires that the Minister for Infrastructure, Transport, Regional Development and Local Government determine a National Land Transport Network (the Network). The principal purpose of determining the Network is to establish the roads and railways (existing or proposed) 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 has been varied twice.

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

2. CONTENT AND EFFECT OF VARIATION 3

2.1. Overview of the Network

The 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 intermodal 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 intermodal 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 Network 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

2.2.1. Western Motorway (M4), New South Wales

Section 3(2) adds the existing Western Motorway (M4) from its intersection with Westlink (M7) at Eastern Creek to its intersection with Great Western Highway at North Strathfield to the Network.

In order to provide connectivity between the current Network and the proposed extension of the M4 Motorway, the section of the motorway between the M7 and North Strathfield will be added to the Network.

The proposed M4 East extension would enhance the strategic road network between Sydney's west, the central business district (CBD), Port Botany, and Sydney Airport to support economic growth and relieve substantial congestion. As well as significantly increasing capacity, the M4 East extension will enhance connectivity by linking the M4/M7 interchange with General Holmes Drive at the Airport and Foreshore Drive at Port Botany.

2.2.2. Great Eastern Highway, Kooyong Road to Roe Highway, Western Australia

Section 3(3) adds a section of the Great Eastern Highway to the Perth Urban Corridor of the Network from Kooyong Road to the Great Eastern Highway Bypass, and then further to the Roe Highway along the Great Eastern Highway Bypass.

It is also necessary to include the adjacent section of the Great Eastern Highway from the Tonkin Highway to the Great Eastern Highway Bypass, and then along the Great Eastern Highway Bypass to the Roe Highway as part of the Network to provide a seamless connection from the project to the Perth Urban Corridor of the Network.

The section of Great Eastern Highway between Kooyong Road and the Tonkin Highway is a major arterial road that services the eastern sector of the Perth Metropolitan area. It also serves as the principal route between the Perth CBD and the airport. Widening this section of the Great Eastern Highway will relieve some of the immediate congestion problems being experienced between the Perth CBD and the airport. The current four lane road has generally reached its traffic carrying capacity and needs to be widened to six lanes to improve traffic flows and to reduce the number of crashes on the road.

2.2.3. South Road – Adelaide, South Australia

Section 3(4) varies the Adelaide Urban Corridor of the Network to add the section of South Road from its current termination point at Sir Donald Bradman Drive to the Southern Expressway.

South Road serves as the principal north-south route for the movement of freight and commuter traffic in Adelaide and it is considered to be one of the most important priority projects in Adelaide's transport system. The link provides connections to the major international transport hubs of Adelaide Airport, Port Adelaide, the outer harbour and Islington Rail Terminal. Freight vehicles comprise some 17.5 per cent of all vehicles using South Road. This represents some 6,000 commercial vehicles per day.

Developing South Road as a non-stop north-south corridor will relieve the immediate urban congestion problems being experienced at intersections along South Road. Urban vehicle travel in Adelaide is also expected to increase by 27 per cent by 2020. This level of increase will seriously impact on the future performance of South Road as a freight and commuter route unless significant capacity improvements are made to the road.

2.2.4. Princes Highway West, Victoria

The existing Network includes the Princess Freeway and Princes Highway from the junction of the Princes Highway from the West Gate Freeway and the Western Ring Road via the proposed Geelong Ring Road to Waurn Ponds. This determination will

add to the Network the Princes Highway from Waurn Ponds to the intersection of the Princes Highway and Corangamite Street, Colac.

Section 3(5) adds the Princes Highway West from west of Waurn Ponds to Colac to the Network and as such will also change the Corridor name from *'Melbourne-Geelong'* to *'Melbourne-Colac'*.

The addition of the Princes Highway West between west of Waurn Ponds and Colac will add approximately 62 kilometres to the Network and will provide improved efficiency to the Network and safety for land transport operations.

Traffic volumes between Waurn Ponds and Colac are approximately 5000 vehicles per day (including 23 per cent commercial vehicles). This volume is higher during weekends and school holiday periods.

The Highway carries a large volume of freight traffic and the number of vehicles using the Highway is expected to increase substantially in the future.

The Highway is increasingly important to the dairy, forestry, horticulture, manufacturing and oil industries of South West Victoria and is an essential link between the South West of Victoria and the cities Geelong and Melbourne.

2.2.5. Townsville Ring Road, Queensland

Section 3(6) adds the proposed Townsville Ring Road to the Brisbane-Cairns Corridor of the Network. The proposed ring road will provide a bypass link from the Bruce Highway around the south and west of Townsville which consists of 4 sections as follows:

1) The existing Douglas section from the intersection with the Bruce Highway (University Road) at Annandale to the Upper Ross River Road;
2) The proposed Condon section from Upper Ross River Road to Hervey's Range Road;
3) The proposed Shaw section from Hervey's Range Road to Dalrymple Road;
4) The existing Shaw Road section from Dalrymple Road to its intersection with the Bruce Highway immediately west of Bohle at Burdell.

The proposed Townsville Ring Road will form a bypass link around Townsville to relieve congestion and improve safety. The Ring Road will provide an alternative high-speed, efficient freight and passenger route around Townsville for through traffic and provide for increasing highway and local traffic volumes. The design of the bypass link will also provide increased connectivity for local residents and more efficient access between Townsville and Thuringowa.

2.2.6. Karratha Dampier Road, Western Australia

Section 3(7) adds a section of Karratha Dampier Road to the Perth-Darwin Corridor of the Network from its intersection with Burrup Road to the North West Coastal Highway, and then onto the intersection with the Great Northern Highway.

The project involves duplicating sections of the Karratha Dampier Road between Burrup Road and Balmoral Road West in Karratha.

It is necessary to include the section of the Karratha Dampier Road from Burrup Road to the North West Coastal Highway and the North West Coastal Highway from the intersection with Karratha Dampier Road onto its intersection with the Great Northern Highway as part of the Network to connect the proposed upgrade project into the Perth-Darwin Network (that is, to provide a seamless connection to the Network).

The duplication of the Karratha Dampier Road will improve road safety and access for local residents of Karratha and Dampier; improve freight and access corridors for mining, oil, gas and chemical export industries to the port; reduce morning and evening peak congestion and travel times between Dampier, Karratha and the Burrup Peninsula; and facilitate the development of the community of Karratha.

2.2.7. Bunbury Port Access Road and Bunbury Outer Ring Road, Western Australia

Section 3(8) adds the Bunbury Port Access Road (Stages 1 and 2) and Bunbury Outer Ring Road (Stage 1) to the Perth-Bunbury Corridor of the Network.

The project involves constructing the Port Access Road from Estuary Road to the Outer Ring Road (Stage 1) and the Outer Ring Road from Boyanup-Picton Road to the South Western Highway (south).

Stage 1 of the Outer Ring Road together with the Port Access Road will provide better access to the inner harbour from areas south of Bunbury that are serviced by the South Western Highway. It will also provide an alternative route for freight vehicles seeking to bypass the congested South Western Highway section of the inner ring road and the Eelup roundabout. The Bunbury Port Access Road will also provide a direct link from the Perth-Bunbury Highway – Australind Bypass to the Port.

When the Bunbury Port Access Road project is completed it will be necessary to remove a section of the Network that currently provides access to Bunbury Port (through a section of the Australind Bypass to the Koombana Drive/Robertson Drive roundabout).

2.2.8. Brooker Highway and Tasman Highway, Tasmania

Section 3(9) adds the Brooker Highway from Granton to Hobart and the Tasman Highway from Hobart to the Hobart International Airport access road to the Network.

The Brooker Highway will add some 18 kilometres to the Network whilst the Tasman Highway section will add approximately 15.7 kilometres. This extension of the Brooker Highway will take the Network to the edge of the Hobart CBD and to the boundary of the current port of Hobart and intermodal terminal. The Tasman Highway part of the extension will connect from Hobart to Holyman Avenue, the entry road to the Hobart International Airport.

This extension of the Network will improve regional freight links with Hobart's CBD and the port, airport and the proposed transport and logistics hub at Brighton. These two sections of highway carry high volumes of commuter traffic and are some of the

most heavily trafficed roads within the Hobart area carrying over 40,000 and 60,000 vehicles per day respectively.

2.2.9. Minor Amendments

Sections 3(10), (11) and (12) vary the description of the Network to address minor errors and provide clarification.

Amendment of Section 3(10) is required to enable rail works to be undertaken within the Port Botany precinct. This port precinct is currently excluded from the Network. This amendment makes the Network coverage at Port Botany consistent with the Network coverage at other capital city ports.

Section 3(11) removes an unnecessary duplication from the Perth rail corridor.

Amendment of Section 3(12) is required to correct an error in the original determination which described the railway from Launceston to and within the Port of Launceston at Bell Bay as being standard gauge rail rather than narrow gauge.

2.3. Documents Incorporated by Reference

This legislative instrument does not incorporate any documents by reference.

2.4. Disallowance and Sunsetting

Under section 6(3) of the Act this legislative instrument is exempt from section 42 (Disallowance) and Part 6 (Sunsetting) of *Legislative Instruments Act 2003.*

2.5. Publication

Section 7 of the Act requires that any variation to the 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.

Self assessment using the Best Practice Regulation Preliminary Assessment checklist has confirmed no further regulatory assessment is required.