
Additional Comments by Senator Fiona Nash

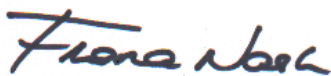
1.1 I note the recommendation of the Rural and Regional Affairs and Transport Legislation Committee inquiry into the above bill.

1.2 In paragraph 2.3 the report observes that Part 6 of the Principal Act the *AusLink (National Land Transport) Act 2005* emphasises that when considering funding under what was known as the AusLink Strategic Regional Projects program, the Minister should have regard to the regional benefit of the proposed project. These conditions are cited in *section 55* of the Principal Act under the heading “Is it appropriate to approve a project?” The report then notes, in paragraph 2.7, that the preceding section of the Principal Act – *section 54* – gives a theoretical right to the Minister to grant such an approval for a project in a non-regional area. Without disputing the legality of this assertion, the intent of the Strategic Regional Program to be non-urban in focus is made quite clear by its name and by the clauses contained in *section 55*. This is why, in order to remove this focus, the Government has proposed the *Nation Building Program (National Land Transport) Amendment Bill 2009*. This amendment will change the program’s name to “Nation Building Off-Network Projects” and delete from the Principal Act any references to regional so that this renamed program can apply to urban Australia.

1.3 Given that the Government has removed any doubt as to whether this program may apply to non-regional Australia, I express my concern as to what this means for a transport infrastructure program that totals \$633.3 million over four years from 2009-10. Prior to these amendments, disregarding any technical doubts, this amount of money was to be spent in regional Australia. This is no longer the case. The Government is now free to spend this money in urban areas – a focus that is against the original intent of the Principal Act. I am concerned that the Government’s amendments to the Principal Act represent a significant loss of transport infrastructure funding for Australians who live outside the capital cities and demonstrate the Government’s anti-regional bias.

1.4 I also express concern that the funds set aside for the former Strategic Regional Program over the planning period from 2009-10, as tabled by the Government on 28 May 2009, are overwhelming directed to Labor seats. Specifically, 81 percent of the funds under what is now to be termed the Nation Building Program Off Network Projects, or \$531.4 million, are now to be spent in Labor-held electorates. I question the use by the Government of this program as a vehicle to fund Labor election promises in Labor areas.

1.5 Secondly, as noted in paragraph 2.8 of the report, the Government amendments will modify *section 71* of the Principal Act to extend the coverage of the Black Spots Project to the National Land Transport Network. I express concern that these amendments mean that this key safety initiative that formerly applied only to dangerous local roads, may now be swallowed up in a more general spend on Australia's national highways. I express concern that these legislative changes paves the way for the Government to use funds dedicated to local roads and streets to use as maintenance funds for the national highway system that is already subject to larger and separate appropriations.



Senator Fiona Nash

Senator for New South Wales