

AusLink (National Land Transport) Act 2005

Explanatory statement – Variation of AusLink Roads to Recovery List No. 2008/4

On 2 August 2005, the Minister determined a list of bodies to receive Roads to Recovery funds (the list) and their allocations as required under s.87 of the AusLink Act (the Act). The bodies listed are the local government authorities that existed at the time but there is provision in the Act to amend the list to take account of council amalgamations etc. Several changes have already occurred which are now reflected in the list.

Local government in the Northern Territory was restructured with effect from 1 July 2008 with the 62 councils in the Territory being amalgamated into 16. Only a handful of councils have not been involved in amalgamations and one of these, the Tiwi Islands Local Government, has been renamed. All the amalgamations were straightforward with two or more precursor councils amalgamated in their entirety to form a new council.

Under s.88(1) of the Act, where a body on the list ceases to exist before it has received its full allocation, the Minister can redirect any part of the allocation of the precursor body not paid to it at the date of abolition to the body that has taken over its responsibilities. Thus, the funds not yet paid to the precursor councils will become the allocation of the new councils.

This instrument will remove the abolished councils from the list of funding recipients and will add the new councils to the list. It will also determine allocations for the new councils.

The Shires of Broomehill and Tambellup were amalgamated on 1 July 2008 to form the Shire of Broomehill-Tambellup. As with the NT, this instrument will also remove the two former councils from the list of funding recipients and will add the new council. It will also determine allocations for the new council.

Local government in Queensland was restructured with effect from 15 March 2008 and the list was amended by instrument 2008/1 to reflect these changes. Unfortunately, the instrument purported to remove some funding recipients which are listed in the original August 2005 list under slightly different names. It has been necessary to amend the list to remove the councils using the names by which they are listed in the original instrument. Most of these changes have been made but two councils remain to be removed by this instrument.

Section 88(3) of the Act allows the Minister to update the list to deal with name changes etc. There have been two name changes, in addition to that involving the Tiwi Islands Local Government, recently:

- . the District Council of Le Hunte in SA has become the Wudinna District Council;
and
- . the Redland Shire Council in Queensland has become the Redland City Council.

The instrument implements these changes as well.