

## Moxon Greg

**From:** Moxon Greg  
**Sent:** Tuesday, 10 February 2009 10:46 AM  
**To:** 'BASTABLE Alan J'; 'SIU Clement'  
**Cc:** Lansdowne Graeme; Maher Jason  
**Subject:** Black Spot Nation Building Funding NSW [SEC=UNCLASSIFIED]

**Importance:** High  
**Categories:** SEC=UNCLASSIFIED

Alan / Clement,

On 3 February 2009 the Prime Minister announced that the Government will allocate an additional \$30 million in 2008-09 and \$60 million in 2009-10 to extend the coverage of the Black Spot Program. A portion of the extra funding announced on 3 February 2009 will be allocated to black spots on the National Network.

This is on top of the Government's announcement in December 2008 that it would provide an additional \$60 million in 2008-09.

NSW has already provided details of projects to be funded under the standard Black Spot Program in 2009-10 and under the additional funding from December 2008. I am writing to clarify arrangements for allocation and payment of the additional funding announced last week.

### Payments

- Payments for standard program projects already approved for 2008-09 will continue to be made on the basis of status reports uploaded into APMS.
- Payment for projects under the December 2008 Nation Building funding will be made prior to 30 June 2008 with projects to be complete, or largely complete, by 31 December 2009.
- 2008-09 funding to NSW under the February 2009 Nation Building package will be paid on the same basis ie. prior to 30 June 2008 with projects to be complete, or largely complete, by 31 December 2009.
- 2009-10 funding to NSW under the February 2009 Nation Building package will be paid during 2009-10 along with standard Black Spot Program funding for 2009-10 on the basis of status reports.

### Funding for NSW for 2008-08 & 2009-10

Black Spot funding for NSW is as follows:

ON-GOING PROGRAM 2008-09 (\$54.7m)	NATION BUILDING 1 2008-09 (\$60m)	NATION BUILDING 2 2008-09 (\$30m)	ON-GOING PROGRAM 2009-10 (\$59.5m)	NATION BUILDING 2 2009-10 (\$60m)
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\$17.062m	\$19.199m	\$9.600m	\$19.099m	\$19.199m
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**Please Note:** Figures for Nation Building 2 funding in 2008-09 and 2009-10 include the portion of funds available for National Network projects set out below.

### Identification of Projects

As noted above, you have already provided details of projects for standard 2009-10 and December 2008 Nation Building funding. We will submit these projects to Minister Albanese for consideration and approval as soon as possible.

At the Special Council of Australian Governments (COAG) meeting on 5 February 2009 it was agreed that States are to submit nominations for Black Spots funding to the Commonwealth by **31 March 2009**. I would be grateful if you would work toward meeting this agreed deadline. It is important that proposals are submitted as soon as possible as this would assist in meeting the COAG deadline and enable approvals and payments to commence.

Eligibility criteria for state and local road projects to be funded under Nation Building 2 are the same as for those identified for funding under Nation Building 1 ie. standard crash history and BCR criteria apply but 30% for RSA projects and 50:50 urban and rural guidelines are relaxed. Projects should seek to stay within the limit of \$1 million but we will consider higher cost projects on a case by case basis if you are having difficulty identifying projects.

### Black Spot Projects on the National Network

The amount of funding available for black spots on the National Network under the Nation Building 2 funding will be capped at \$15 million in 2008-09 and \$15 million in 2009-10 nationally. The maximum amount of funding available to NSW for Network black spot projects is \$4.80 million in 2008-09 and \$4.80 million in 2009-10.

In proposing black spot projects on the National Network, you should identify a list of proposals in BCR order from highest to lowest. Network black spot projects are required to meet the standard black spot crash history and BCR criteria, you must indicate whether they are urban or rural and projects should seek to stay within the limit of \$1 million but we will consider higher cost projects on a case by case basis. Projects on the Network which are based on a Road Safety Audit will not be considered for funding.

Please contact Graeme Lansdowne or myself if you wish to discuss.

Greg Moxon  
Section Head  
Local Roads Programs

Instrument No.	Electorate	Nominated By	Location Details		Site Information				Criteria Information						Concern/Treatment		Funding Sought from ABSF	Contribution by Others		Estimated Start/Completion Dates		Comments / Notes	Nomination Status	Funding Source: N/A, ABSF (N/A for Bidder), FSPF (Federal Infrastructure Program)	GIS Code required				
			Council	Project Name	Site Description	State / Local	Urban / Rural	Project Type	Length in KM	Road Safety Audit	Fatal Crashes	Injury Crashes	Total Crashes	Crash Period Years	Crash Period Final Year Used	Benefit Cost Ratio		Project Description	Project Benefits	Contributor Amount	Contributor Supplier						Start Date	Completion Date	



NPT3370	Dobell	S	Wyong	Wyong Road - Reliance Drive, Tuggerah	INTERSECTION	S	U	S	N	0	3	3	5	2007	2.3	INSTALL NON SKID SURFACE	Site Has A History Of Crashes	50,000		1/07/2009	30/06/2010	ADDITIONAL MOTORHUNTERAP36	E	NB2B	\$ 7,892,800
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# INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT & LOCAL GOVERNMENT

FOR: The Hon Anthony Albanese MP cc:	eWorks Number: 02470-2009	For Decision by: 6 April 2009 Works to begin when approved
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## SUBJECT: NSW NATION BUILDING BLACK SPOT PROJECTS

### Recommendation: That you:


- R1. **approve** 62 projects under Part 7, Section 70 of the *AusLink (National Land Transport) Act 2005* (the Act), under the Nation Building Packages announced in December 2008 and February 2009 and funding of \$20,473,900 in accordance with Section 78 of the Act by **signing** the instrument at Attachment A;
- R2. **approve** a further 29 Nation Building Projects under Part 3, Section 9 (1) of the Act, and funding of \$8,325,000 in accordance with Section 17(1) of the Act by **signing** the instrument at Attachment B;
- R3. **approve** tender exemptions for the National Network projects in NSW under subsection 24(1) of the Act by **signing** the tender exemption instrument at Attachment C; and
- R4. **sign** the attached letter to the NSW Minister for Roads at Attachment D.

### Key Issues:

1. On 10 March 2009 you approved 73 projects in NSW under the 2009-10 on-going Black Spot Program and 109 projects under the first Nation Building package announced in December 2008.
2. The NSW Black Spot Consultative Panel, chaired by Mr Craig Thompson MP, met out of session in March 2009 and recommended a further 91 projects for your consideration and approval for 2008-09 and 2009-10 under the second Nation Building package announced in February 2009.
3. The total estimated cost of the recommended projects is \$28,798,900, comprising \$20,473,900 in Black Spot Program Nation Building Package projects and \$8,325,000 for Nation Building Package projects on the National Land Transport Network. This will fully allocate the additional Black Spot funding available to NSW.
4. In approving these projects you are doing so under Regulation 9 of the *Financial Management and Accountability Act 1997* (the FMA Act). As required by Regulation 9 the Department is satisfied that the proposed expenditure:
  - is in accordance with the policies of the Commonwealth; and
  - will make efficient and effective use of public money.
5. Regulation 10 of the FMA Act does not apply to the approval of 2008-09 projects as they are current financial year approvals. All requirements under Regulation 10 of the FMA Act have been met in respect of the 2009-10 projects.

**Sensitivity:** There are no identified community or stakeholder concerns about the Projects.

**Electorate:** The recommended Black Spot projects in NSW are located in Bannellong, Berowra, Blaxland, Bradfield, Calare, Charlton, Cook, Cowper, Cunningham, Dobell, Eden-Monaro, Gilmore, Greenway, Hughes, Hume, Hunter, Lindsay Lowe, Lyne, Macquarie, New England, Newcastle, North Sydney, Page, Parkes, Paterson, Prospect, Reid, Richmond, Riverina, Robertson, Shortland, Sydney and Werriwa. A joint Media Release, with Mr Thomson, announcing successful projects and an example Electorate release are at Attachment E.

Written by: Jason Maher	(a) <del>APPROVED</del> / NOT APPROVED
Contact No. : 6274 6125	(b) <del>APPROVED</del> / NOT APPROVED
Approved by: Carolyn McNally	(c) <del>APPROVED</del> / NOT APPROVED
Signature:  11/4/2009	(d) <del>SIGNED</del> / NOT SIGNED
Contact No.: 6274 8053	ANTHONY ALBANESE 5/4/2009

## **Background:**

The NSW Black Spot Consultative Panel, chaired by Mr Craig Thomson MP, met out of session in March 2009 and recommended 91 projects for your consideration and approval under the second Black Spot Program Nation Building package for NSW. Further details of the recommended projects are set out in the schedules to the attached approval Instruments NPT3347 – NPT3437 and NPT3396 – NPT3442.

The total estimated cost of the recommended projects is \$28,798,900, comprising \$20,473,900 in Black Spot Program Nation Building Package projects and \$8,325,000 for Nation Building Package projects on the National Land Transport Network. The funding available to NSW under the second Nation Building package is \$28,799,000. Approval of the recommended projects combined with their previous Black Spot Nation Building approvals will fully allocate the additional Black Spot funding available to NSW. Total Black Spot funding allocated to NSW over the period 2008-09 to 2013-14 is \$160.55 million.

## **Legislative Requirements:**

To enable projects to be funded on the National Land Transport Network, we are required to use Part 3 of the *AusLink (National Land Transport) Act 2005* (the AusLink Act) as Part 7 of the Act does not allow Black Spot Program funding on the National Land Transport Network.

Under Part 7, subsection 70(1) and under Part 3, subsection 9(1) of the AusLink Act, you may only approve a project if you are satisfied that it is eligible and you then consider that it is appropriate to approve the project.

The Black Spot program is administered by the States and Territories with Australian Government funding under Part 7 of the AusLink Act and in accordance with the Notes on Administration. For Black Spot projects on the National Land Transport Network, the projects being approved under Part 3, Section 9(1) of the AusLink Act, the projects will also be administered by the State and Territories.

## **Tender Exemption:**

The NSW Roads and Traffic Authority (RTA) have sought tender exemptions for 29 Black Spot Program projects on the National Land Transport Network worth \$8,325,000. All projects are under \$5 million. The RTA has sought the tender exemptions on the basis that the projects are of such a minor nature that the invitation of tenders would involve undue additional costs and that the projects will contribute to employment in a region. The tender exemptions have been sought under Section 24(1) of the AusLink Act. Tender Exemption supporting information and a Tender Exemption Instrument is at Attachment C.

## **Regulation 9:**

The Department is satisfied that Regulation 9 of the *Financial Management and Accountability Act 1997* (the FMA Act) has been met for NSW. 91 projects were submitted and assessed by the RTA. The projects were considered by the NSW Black Spot Consultative Panel and the recommended projects are the highest priority projects identified by the Panel within the funding envelope for NSW. In meeting Regulation 9 of the FMA Act we have ensured that each of the projects meet the eligibility requirements of the AusLink Act (as set out in Attachments A & B) and have a BCR of greater than 2.0 or are based on a Road Safety Audit as required by the Program's Notes on Administration. Eligibility under Part 7 of the AusLink Act is conditional upon each project improving road safety at a site (being all or part of a road); in a State, which has or is likely to contribute to serious motor vehicle crashes and which is not on the National Land Transport Network (Attachment A provides further detail on these matters). Eligibility under Part 3 of the AusLink Act is conditional upon each project being for the construction or maintenance of a road which is included in the National Land Transport Network (Attachment B provides further detail on these matters).

## **Regulation 10:**

Regulation 10 of the FMA Act does not apply to the 2008-09 projects as they are current financial year approvals for which funding has been appropriated. I advise that, under delegation from the Minister for Finance and Deregulation, I have approved the required spending proposal for the recommended 2009-10 projects under Regulation 10 of the FMA Act.

**Approval Instruments:**

The attached instruments provide for approval under Part 7, subsection 70(1) and under Part 3, subsection 9(1) of the *AusLink (National Land Transport) Act 2005* and the provision of funding under subsections 78(1) and 17(1) for 91 Black Spot Projects in NSW.

**Consultation:**

The New South Wales Consultative Panel, chaired by Mr Craig Thomson MP, includes representatives from the NRMA, NSW Federation of P&C Associations, Council on the Ageing, the Institute of Public Works Engineering Australia, NSW Police and state and local government.

**Attachments:**

- A. Supporting Information and Approval Instrument for the NSW non-Network Black Spot Nation Building Package projects announced in February 2009.
- B. Supporting Information and Approval Instrument for NSW Black Spot projects on the National Land Transport Network.
- C. Supporting Information and Approval Instrument for Tender Exemptions for NSW projects on the National Land Transport Network
- D. Letter to the NSW Minister for Roads.
- E. Draft media releases.



# AusLink Black Spot Projects

## Approval No's. NPT3347 – NPT3437 - Supporting Information

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### Project Eligibility – Section 71

Section 71 of the *AusLink (National Land Transport) Act 2005* states that a project is eligible for approval as an AusLink Black Spot Project if:

- (a) the project is for the improvement of road safety of a site (being all or part of any road); and
  - (b) the site is in a State or Territory; and
  - (c) the nature of the site has contributed to, or is likely to contribute to, serious motor vehicle crashes involving death or personal injury; and
  - (d) the site is not included in the National Land Transport Network.
- The recommended projects set out in Approval No's. NPT3347 - NPT3437 include a short description of works to be undertaken to improve the road safety of the identified sites.
  - The sites of the recommended projects are in NSW.
  - 58 of the recommended projects have a crash history of at least three casualty crashes over a five year period and the nature of the sites has been assessed as contributing to their crash history.
  - Four of the recommended projects are based on Road Safety Audits and the nature of the sites has been assessed as likely to contribute to serious motor vehicle crashes.
  - The sites of the recommended projects are not included in the National Land Transport Network within NSW.

### Project Appropriateness – Section 72

Section 72 of the *AusLink (National Land Transport) Act 2005* states that the matters to which the Minister may have regard in deciding whether it is appropriate to approve a project as an AusLink Black Spot Project include, but are not limited to, the following matters:

- (a) the accident history of the site to which the project relates;
- (b) the results of any assessment of the safety benefits and the costs of the project;
- (c) the results of any road safety audit conducted in relation to the site;
- (d) the extent to which persons other than the Commonwealth propose to contribute funding to the project.

- 58 of the recommended projects are at sites that have an accident history of at least three casualty crashes over a five year period.
- The projects have been assessed by the NSW RTA according to criteria which identify the crash history of a site, the expected benefit from the proposed treatments and the costs of the projects. The proposals have a benefit to cost ratio of greater than the minimum requirement of 2:1.
- Four of the recommended projects are based on a Road Safety Audit conducted in relation to the site.
- Five of the recommended projects have a contribution from either state or local government. The remaining projects will be fully funded by the Australian Government.

Other matters relevant to the recommended projects to which you may have regard when deciding whether it is appropriate to approve the projects are:

- All nominations were initially reviewed by the NSW RTA which has the details of the history of the site and the expertise to assess the appropriate treatment.
- All sites nominated for Black Spot Program funding within NSW were then considered by the NSW Black Spot Consultative Panel.
- The projects submitted for approval have been recommended to you by the NSW Black Spot Consultative Panel and are the highest priority projects identified by the Panel.



**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development and Local Government**

## **AusLink (National Land Transport) Act 2005**

### **Black Spot Nation Building Projects**

#### **Approval No's. NPT3347-NPT3437**

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I, ANTHONY NORMAN ALBANESE, Minister for Infrastructure, Transport, Regional Development and Local Government:

- (a) being satisfied that the projects identified and described in Columns 2 and 3 of the Schedule (the Projects) are eligible for approval in accordance with section 71 of the *AusLink (National Land Transport) Act 2005* (the Act) and considering that it is appropriate to approve the Projects in accordance with section 72 of the Act, approve the Projects as AusLink Black Spot Projects under subsection 70(1) of the Act; and
- (b) approve, under subsection 78(1) of the Act, the provision of Commonwealth funding for the Projects to the corresponding eligible funding recipient identified in Column 5 of the Schedule.

  
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ANTHONY ALBANESE

6.4.09

Approval Instrument Number	Project Number and Name	Project Description	Maximum Funding Amount that the Commonwealth may Contribute	Eligible Funding Recipient
NPT3378	033281-08NSW-BS2 Adelaide Avenue - Melbourne Avenue, Umina	INSTALL SINGLE LANE ROUNDABOUT	\$ 200,000	Roads & Traffic Authority of New South Wales
NPT3379	033283-08NSW-BS2 Wyong Road - Reliance Drive, Tuggerah	INSTALL NON SKID SURFACE	\$ 50,000	Roads & Traffic Authority of New South Wales
NPT3380	033285-08NSW-BS2 Bareki Road - Yerambla Road to 100m North of Eleebana Road, Eleebana	INSTALL NON SKID SURFACE	\$ 100,000	Roads & Traffic Authority of New South Wales
NPT3382	033290-08NSW-BS2 Captains Flat Road - Tip Road, Captains Flat	REALIGN & WIDEN LANES & SHOULDERS - SEAL SHOULDER - INSTALL GUARDRAIL & SPEED ADVISORY SIGNS	\$ 400,000	Roads & Traffic Authority of New South Wales
NPT3383	033291-08NSW-BS2 George Booth Drive - 3.1km to 3.4km South of Richmond Vale Road, Buchanan	WIDEN SHOULDERS, INSTALL MEDIAN & CENTRAL SAFETY BARRIER & IMPROVE HORIZONTAL & VERTICAL ALIGNMENT	\$ 620,000	Roads & Traffic Authority of New South Wales
NPT3384	033292-08NSW-BSN Picton Road - 4.2km West of Mt Keira Road, Mt Ousley	INSTALL MEDIAN GUARDRAIL AND EXTEND SHOULDERS	\$ 500,000	Roads & Traffic Authority of New South Wales
NPT3385	033293-08NSW-BS2 Collins Promenade - Eagleview Road, Minto	INSTALL SINGLE LANE ROUNDABOUT	\$ 1,000,000	Roads & Traffic Authority of New South Wales
NPT3386	033294-08NSW-BSN Newbridge Road - Nuwarra Road, Moorebank	UPGRADE SIGNAL DISPLAY WITH MAST ARM	\$ 50,000	Roads & Traffic Authority of New South Wales