

MAIN ROADS.

No. 47 of 1969.

AN ACT to amend the *Main Roads Act, 1930-1967.*

[Assented to 30th June, 1969.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Main Roads Act Amendment Act, 1969.*

Short title
and citation.

(2) In this Act the *Main Roads Act, 1930-1967*, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Main Roads Act, 1930-1969.*

Vol. 16 the
Reprinted
Acts.
Approved for
reprint 21st
May, 1962,
and further
amended by
Acts Nos. 67
of 1964, 69
of 1965, 7 and
70 of 1966
and 57 of
1967.

Commence-
ment.

2. This Act shall come into operation on the first day of July, nineteen hundred and sixty-nine.

S. 3
amended.

3. Section three of the principal Act is amended by substituting for the word "schedule", the words "First Schedule".

S. 6
amended.

4. Section six of the principal Act is amended by substituting for the interpretation, "road construction", the following interpretation—

"road construction" includes—

- (a) the reconstruction of roads and, for that purpose, the acquisition of land, the demolition of buildings and the taking or defending of legal proceedings;
- (b) the purchase and maintenance of plant, and the supply of labour and materials, for road construction;
- (c) the administration of road construction, including planning, research, investigation, survey and design; and
- (d) the maintenance of roads and the provision and maintenance of street lights and traffic lights.

S. 31
repealed and
re-enacted.

5. Section thirty-one of the principal Act is repealed and is re-enacted as follows—

Main Roads
Trust
Account.

31. There shall be paid, from time to time, to the account maintained at the Treasury and known as the Main Roads Trust Account—

- (a) such moneys as are, from time to time, appropriated by Parliament for the purposes of this Act;
- (b) moneys paid to the Treasury, by a local authority, in respect of permanent works and the maintenance of main roads and developmental roads;

- (c) moneys paid by the Commonwealth to the State, for the purposes of road construction, whether by virtue of an Act of the Parliament of the Commonwealth or otherwise; and
- (d) moneys that are payable to the account pursuant to the Traffic Act, 1919, or any other Act: .

6. Section thirty-two of the principal Act is repealed and is re-enacted as follows—

S. 32
repealed and
re-enacted.

32. (1) The moneys standing to the credit of the Main Roads Trust Account shall be applied—

Appropriation of Main
Roads Trust
Account.

- (a) firstly, in meeting the costs of the administration of, and the exercise by the Commissioner of his functions under, this Act;
- (b) secondly, in payment of any amount specified or determined by the Treasurer to be paid—
 - (i) to the credit of the Consolidated Revenue Fund, as a contribution towards the payment of interest and sinking fund contributions payable on loan moneys that have, from time to time, been appropriated by Parliament for expenditure on road construction; or
 - (ii) to the credit of the Transport Co-ordination Fund, pursuant to section thirteen of the Road Maintenance (Contribution) Act, 1965;
- (c) thirdly, in payment annually, to the credit of the Railway Crossing Protection Fund Account, of an amount equal to the fees paid, in the aggregate, to local authorities for the transfer of motor vehicle licences, reduced by half the amount of such of those fees as were paid to the Commissioner of Police, during the same year;

- (d) fourthly, in payment to local authorities of the moneys payable pursuant to the succeeding provisions of this section;
- (e) fifthly, in expenditure, by the Commissioner, in such manner and proportions as the Minister may, on the recommendation of the Commissioner, from time to time determine, on road construction and other works, on making payments to local authorities or boards for road construction, on lights and signs for the direction of traffic and on the construction, erection and maintenance of lights for the lighting of any road or bridge; and
- (f) finally, for any other purpose that the Minister may, on the recommendation of the Commissioner, from time to time determine.
- (2) The moneys to be applied, fourthly, pursuant to subsection (1) of this section, shall comprise—
- (a) a grant, payable annually, to every local authority, being the sum obtained by increasing the base grant,—
- (i) as set out, in each case, in the Second Schedule hereto; or
- (ii) as from time to time determined by the Minister,
- by the percentage for the year shown in the table to this subsection; and
- (b) subject to subsection (3) of this section, an additional grant, as provided by that subsection.

The Table.

Financial Year.				Percentage.
1969-1970	.....	.....	.....	2
1970-1971	.....	.....	.....	4
1971-1972	.....	.....	.....	6
1972-1973	.....	.....	.....	8
1973-1974	.....	.....	.....	10

(3) The additional grant mentioned in subsection (2) of this section is payable to a local authority, if—

- (a) the local authority furnishes to the Minister such information as he may require with respect to the amount expended by the local authority, during any financial year under consideration, on road construction, from its own resources; and
- (b) the Minister is satisfied that the amount so expended exceeds either—
 - (i) the base expenditure of that local authority; or
 - (ii) the grant for that local authority, as provided by paragraph (a) of subsection (2) of this section;

and, in every case, the additional grant shall be an amount equal to the greatest excess expenditure or equal to the quota for that financial year, being a quota calculated, to the nearest dollar, in accordance with the table to this subsection, whichever is the lesser amount

The Table.

Financial Year.	Percentage of Base Grant.
1969-1970	5
1970-1971	10
1971-1972	15
1972-1973	20
1973-1974	25

(4) Where the amount expended by a local authority on road construction, from its own resources, during any financial year, is greater than the sum of its base year expenditure and the quota for that year, the excess is deemed, for the purposes of this section, to have been expended by the local authority during the next succeeding year.

(5) For the purposes of subsection (3) of this section, the expression—

“base expenditure” means the average annual amount expended by a local authority from its own resources during the financial years 1967-1968 and 1968-1969, or such other amount as the Minister may, in any particular case, determine;

“expended from its own resources”, in relation to a local authority, includes expenditure for interest payments on loans applied for road construction, during the five-year period commencing on the first day of July, nineteen hundred and sixty nine, but does not include expenditure—

- (a) from grants made, or other moneys paid, to the local authority, pursuant to this Act;
- (b) from grants made to the local authority by any department, agency or instrumentality of the Crown; or
- (c) incurred on behalf of other persons, for which payment is, or is to be, received by the local authority.

(6) The Minister may authorise the making of advances, of such amounts, and at such times, as he thinks fit, on account of any amount that may become payable to a local authority under this section.

(7) Information furnished by a local authority at the requirement of the Minister, pursuant to subsection (3) of this section, shall not be accepted for the purposes of that subsection, unless it is certified to be correct by audit pursuant to Part XXVII of the Local Government Act, 1960; and, in any event, where the Minister is satisfied that an amount paid to a local authority under this section exceeds the amount that was properly payable, he may

require the local authority to repay the amount of the excess to the Main Roads Trust Account and may cause any amount so repayable to be deducted from any other amount that may become payable to the local authority under this Act.

(8) The warrant of the Commissioner is sufficient authority to the Treasurer to make any payment provided by this section; and, in authorising any such payment, the Commissioner shall make such adjustments, in respect of moneys erroneously or improperly paid to the Main Roads Trust Account, as the circumstances may from time to time require.

(9) Any unexpended moneys standing to the credit of the Main Roads Trust Account, at the end of a financial year, may be applied under this section to any other year, without fresh appropriation.

7. The principal Act is amended by adding, after section thirty-three, the following section—

S. 33A
added.

33A. (1) Of the moneys paid, pursuant to section thirty-two of this Act,—

Application
of moneys
paid to local
authorities.

- (a) to a local authority whose district is wholly outside the Metropolitan Region, one-half shall be applied to the construction of rural roads, other than arterial rural roads, only; and
- (b) to a local authority whose district is wholly within the Metropolitan Region, one-half shall be applied to the construction of urban arterial roads, only,

as may be approved by the Minister, on the recommendation of the Commissioner, in each case; and the remainder of the moneys so paid to a local authority shall be applied to the construction and maintenance of roads, generally.

(2) Notwithstanding the provisions of paragraphs (a) and (b) of subsection (1) of this section, if a local authority satisfies the Minister that one-half or any part of one-half of the moneys mentioned in that subsection

Local Authority	Amount \$
METROPOLITAN	
Shire of—	
Armadale-Kelmscott	248,345
Bassendean	72,828
Bayswater	189,353
Belmont	179,718
Canning	197,403
Cockburn	147,690
Gosnells	162,554
Kalamunda	152,848
Kwinana	104,163
Mundaring	127,208
Peppermint Grove	11,467
Perth	769,057
Rockingham	119,309
Serpentine-Jarrahdale	34,744
Swan-Guildford	165,334
Wanneroo	56,264
COUNTRY	
Town of—	
Albany	195,267
Boulder	55,915
Bunbury	238,202
Geraldton	201,014
Kalgoorlie	95,880
Narrogin	56,725
Northam	82,986
Shire of—	
Albany	86,438
Ashburton	15,252
Augusta-Margaret River	51,478
Balingup	17,902
Beverley	40,354
Boddington	13,762
Bridgetown	46,796
Brookton	31,763
Broome	24,332
Broomehill	19,159
Bruce Rock	57,805
Busselton	105,154

COUNTRY	Local Authority	Amount \$
Shire of—		
	Capel	46,132
	Carnamah	23,685
	Carnarvon	98,848
	Coorow	26,720
	Chapman Valley	26,723
	Chittering	22,394
	Collie	92,075
	Coolgardie	27,228
	Corrigin	55,641
	Cranbrook	36,810
	Cuballing	16,434
	Cue	4,367
	Cunderdin	56,114
	Dalwallinu	78,347
	Dandaragan	34,978
	Dardanup	40,405
	Denmark	31,323
	Donnybrook	40,317
	Dowerin	33,997
	Dumbleyung	38,808
	Dundas	36,434
	Esperance	162,906
	Exmouth	37,400
	Gingin	36,077
	Gnowangerup	88,961
	Goomalling	36,591
	Greenbushes	11,660
	Greenough	36,010
	Halls Creek	11,498
	Harvey	108,216
	Irwin	19,165
	Kalgoorlie	96,910
	Katanning	83,272
	Kellerberrin	50,371
	Kojonup	63,726
	Kondinin	42,476
	Koorda	37,284
	Kulin	37,919
	Lake Grace	57,628
	Laverton	3,806
	Leonora	14,767

COUNTRY	Local Authority	Amount \$
Shire of—		
Mandurah	65,867
Manjimup	126,108
Marble Bar	11,299
Meekatharra	28,419
Menzies	7,158
Merredin	93,749
Mingenew	24,131
Moora	70,996
Morawa	48,573
Mt. Magnet	9,892
Mt. Marshall	46,539
Mukinbudin	35,586
Mullewa	49,954
Murchison	9,741
Murray	52,955
Nannup	14,107
Narembeen	45,164
Narrogin	30,561
Northam	54,188
Northampton	48,854
Nullagine	18,215
Nungarin	19,780
Nyabing-Pingrup	32,697
Perenjori	42,409
Pingelly	30,019
Plantagenet	84,487
Pt. Hedland	162,333
Quairading	45,991
Ravensthorpe	28,093
Roebourne	78,516
Sandstone	5,286
Shark Bay	5,445
Tableland	15,122
Tammin	22,008
Tambellup	26,137
Three Springs	29,245
Toodyay	34,561
Trayning	28,596
Upper Blackwood	44,141
Upper Gascoyne	7,792
Victoria Plains	39,632

	Local Authority	Amount \$
COUNTRY		
Shire of—		
Wagin	57,659
Wandering	14,449
Waroona	38,236
West Arthur	33,696
West Kimberley	41,364
Westonia	25,700
Wickepin	34,099
Williams	27,190
Wiluna	3,505
Wongan-Ballidu	60,283
Woodanilling	16,761
Wyalkatchem	35,180
Wyndham-East Kimberley	54,572
Yalgoo	7,234
Yilgarn	61,309
York	39,997
