

## MAIN ROADS.

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No. 28 of 1974.

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AN ACT to amend the Main Roads Act, 1930-1972.

[Assented to 29th October, 1974.]

**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, 1974*. Short title and citation.

(2) In this Act the Main Roads Act, 1930-1972, is referred to as the principal Act. Reprinted as approved for reprint 22nd January, 1970 and amended by Act No. 35 of 1972.

(3) The principal Act as amended by this Act may be cited as the Main Roads Act, 1930-1974.

Commence-  
ment.

2. This Act shall be deemed to have come into operation on the first day of July, 1974.

Section 32  
amended.

3. Section 32 of the principal Act is amended by repealing subsections (2), (3), (4), (5), (6), (7), (8) and (9) and substituting the following subsections—

(2) For the purposes of subsections (3) to (6), inclusive of this section—

- (a) “relevant year” means each of the financial years ending on the thirtieth day of June, 1975, the thirtieth day of June, 1976 and the thirtieth day of June, 1977;
- (b) “Second Schedule” means the Second Schedule to this Act;
- (c) a reference to Zone A, Zone B, Zone C or Zone D is a reference to the appropriate Zone in the Second Schedule;
- (d) the expressions “construction”, “maintenance”, “national road”, “rural arterial road”, “rural road” and “urban arterial road” have the same respective meanings as they have in and for the purposes of the Roads Grants Act 1974 and the National Roads Act 1974, of the Parliament of the Commonwealth; and
- (e) the term “expenditure on road works from its own resources”, however expressed, in relation to a local authority includes, in addition to the meaning of road works expenditure under the Roads Grants Act 1974 of the Parliament of the Commonwealth, expenditure on footpaths, street lighting and cleaning and maintaining road verges.

(3) (a) This subsection applies to the local authorities specified in Zones C and D.

(b) An amount of \$7 561 930 shall be made available each relevant year from the Main Roads Trust Account and, subject to paragraph (c) of this subsection and subsections (5) and (6) of this section, is payable in that year to the local authorities as base and additional grants as specified in the Second Schedule, or as base and additional grants of such other amounts as determined from time to time by the Minister.

(c) Every base grant paid to a local authority pursuant to this section is so paid on condition that it shall be expended upon maintenance or construction, and every additional grant so paid to a local authority pursuant to this section is so paid on condition that it shall be expended upon construction of rural roads, other than rural arterial roads or national roads, in accordance with a programme to be approved by the Minister on the recommendation of the Commissioner.

(d) Notwithstanding the provisions of paragraph (c) of this subsection, where a local authority satisfies the Minister that the whole of its additional grant referred to in that paragraph cannot usefully be applied as required by that paragraph, the Minister may, where he is satisfied that special circumstances so warranting exist, approve of the expenditure of part of the additional grant upon maintenance of rural roads.

(4) (a) This subsection applies to the local authorities specified in Zones A and B.

(b) An amount of \$2 133 487 shall be made available each relevant year from the Main Roads Trust Account and, subject to paragraph (c) of this subsection and subsections (5) and (6) of this section, is payable in that year to the local authorities as base grants as specified

in the Second Schedule or as base grants of such other amounts as determined from time to time by the Minister.

(c) Every base grant paid to a local authority pursuant to this subsection is so paid on condition that it shall be expended upon maintenance or construction of roads generally, in accordance with a programme to be approved by the Minister on the recommendation of the Commissioner.

(d) An amount of \$4 266 973 shall be made available each relevant year from the Main Roads Trust Account, and of that amount \$3 246 456 shall be paid in that year into a Fund to be maintained by the Commissioner and known as the Inner Metropolitan Councils' Urban Road Fund, and \$1 020 517 shall be paid in that year into a fund to be maintained by the Commissioner and known as the Outer Metropolitan Councils' Urban Road Fund, but the Minister may, from time to time, vary the distribution of the amount of \$4 266 973 between those two Funds.

(e) Each local authority specified in Zone A may submit to the Commissioner each relevant year a programme containing projects for the construction of urban arterial roads and urban local roads and the Minister may, on the recommendation of the Commissioner, approve any such project, in which event moneys may be paid out of the Inner Metropolitan Councils' Urban Road Fund to the local authority to meet expenditure incurred upon the project so approved.

(f) Each local authority specified in Zone B may submit to the Commissioner each relevant year a programme containing projects for the construction of urban arterial roads and urban local roads and the Minister may, on the recommendation of the Commissioner, approve any such project, in which event moneys may

be paid out of the Outer Metropolitan Councils' Urban Road Fund to the local authority to meet expenditure incurred upon the project so approved.

(g) Where a project submitted by a local authority specified in Zone B does not qualify for expenditure out of such of the moneys within the Outer Metropolitan Councils' Urban Road Fund as are derived from payments made under the Roads Grants Act 1974 of the Parliament of the Commonwealth, the Minister may, where he is satisfied that special circumstances so warranting exist, approve of the payment out of other moneys within that Fund to the local authority to meet expenditure incurred upon that project.

(5) (a) Such moneys paid to local authorities under subsections (3) and (4) of this section as are derived from payments made under the Roads Grants Act 1974 of the Parliament of the Commonwealth are paid on condition that the moneys are expended in accordance with the terms and conditions specified in that Act, and all moneys paid to local authorities under subsections (3) and (4) of this section are paid on the condition that the moneys are expended on works or projects approved by the Minister on the recommendation of the Commissioner, but the Minister may, on the recommendation of the Commissioner, approve of variations in works or projects previously approved.

(b) Where moneys within the Inner Metropolitan Councils' Urban Road Fund or the Outer Metropolitan Councils' Urban Road Fund are not expended within the time specified in the Roads Grants Act 1974 of the Parliament of the Commonwealth, the Commissioner may transfer those moneys to the Main Roads Trust Account.

(c) The Minister may delegate to the Commissioner all or any of his powers under paragraph (c) of subsection (3) of paragraphs (c), (e) and (f) of subsection (4) of this section, and paragraph (a) of this subsection.

(6) (a) Notwithstanding the provisions of paragraph (b) of subsection (3) and paragraph (b) of subsection (4) of this section, the amount which any local authority specified in Zone A, B or C may receive as a base grant for a relevant year shall be the lesser of the following amounts, namely—

- (i) its base grant shown in the Second Schedule; or
- (ii) the amount determined by applying the following grant quota to the expenditure on road works by the local authority from its own resources for that year—

Zone A—\$1 grant for each \$2 expenditure on road works from its own resources;

Zone B—\$1 grant for each \$1.50 expenditure on road works from its own resources;

Zone C—\$1 grant for each \$1 expenditure on road works from its own resources.

(b) Notwithstanding the provisions of paragraph (b) of subsection (3) of this section, the amount which any local authority specified in Zone D may receive as a base grant for a relevant year shall be the lesser of the following amounts, namely—

- (i) the base grant shown in the Second Schedule; or
- (ii) the amount determined by applying the grant quota that is determined from time to time by the Minister to be applicable to the local authority in relation to expenditure on road

works from its own resources for that year.

(c) Where the amount expended by a local authority on road works from its own resources in a relevant year exceeds the amount required for the local authority to receive its full entitlement of the base grant pursuant to paragraph (a) or (b) of this subsection, the excess expenditure shall be treated, for the purposes of this subsection, as expenditure by the local authority during the next succeeding relevant year.

(d) A local authority shall not be regarded, for the purposes of paragraphs (a), (b) or (c) of this subsection, as having expended any particular amounts on road works from its own resources unless such expenditure 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 but not repaid to be deducted from any other amount that may become payable to the local authority under this Act.

(7) 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.

(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.

Section 33A  
repealed.

4. Section 33A of the principal Act is repealed.

Second  
Schedule  
substituted.

5. The principal Act is amended by deleting the Second Schedule thereto and substituting the following schedule—

#### SECOND SCHEDULE

##### Grants to Local Authorities

	Base Grant \$
Zone A:	
City of—	
Perth .....	257 156
Fremantle .....	69 054
Melville .....	140 383
Nedlands .....	57 249
South Perth .....	79 792
Stirling .....	406 074
Subiaco .....	43 381
Town of—	
Canning .....	106 745
Claremont .....	22 757
Cockburn .....	79 366
Cottesloe .....	20 481
East Fremantle .....	17 637
Gosnells .....	87 331
Mosman Park .....	17 139
Shire of—	
Bassendean .....	29 513
Bayswater .....	97 145
Belmont .....	88 042
Peppermint Grove .....	3 983



	Base Grant \$	Additional Grant \$
Zone B:		
Shire of—		
Armadale-Kelmscott .....	81 428	
Kalamunda .....	74 459	
Kwinana .....	46 154	
Mundaring .....	56 822	
Rockingham .....	51 346	
Swan .....	93 945	
Wanneroo .....	106 105	
Zone C:		
Town of—		
Albany .....	87 870	175 741
Bunbury .....	107 191	214 382
Geraldton .....	90 456	180 913
Kalgoorlie .....	43 146	86 292
Narrogin .....	25 526	51 052
Northam .....	37 344	74 687
Shire of—		
Albany .....	38 897	77 794
Augusta-Margaret River .....	23 165	46 330
Beverley .....	18 159	36 319
Boddington .....	6 193	12 386
Boyup Brook .....	19 863	39 727
Bridgetown-Greenbushes .....	26 305	52 611
Brookton .....	14 293	28 587
Broomehill .....	8 622	17 243
Bruce Rock .....	26 012	52 024
Busseton .....	47 319	94 639
Capel .....	20 759	41 519
Carnamah .....	10 658	21 317
Chapman Valley .....	12 025	24 051
Chittering .....	10 077	20 155
Collie .....	41 434	82 868
Coorow .....	12 024	24 048
Corrigin .....	25 038	50 077
Cranbrook .....	16 564	33 129
Cuballing .....	7 395	14 790
Cunderdin .....	25 251	50 502
Dalwallinu .....	35 256	70 513
Dandaragan .....	15 740	31 480
Dardanup .....	18 182	36 364
Denmark .....	14 095	28 191
Donnybrook-Balingup .....	26 199	52 397
Dowerin .....	15 299	30 597
Dumbleyung .....	17 464	34 927
Esperance .....	73 308	146 615
Gingin .....	16 235	32 469
Gnowangerup .....	40 032	80 065

Shire of—	Base Grant \$	Additional Grant \$
Goomalling	16 466	32 932
Greenough	16 205	32 409
Harvey	48 697	97 394
Irwin	8 624	17 248
Katanning	37 472	74 945
Kellerberrin	22 667	45 334
Kent	14 714	29 427
Kojonup	28 677	57 353
Kondinin	19 114	38 229
Koorda	16 778	33 555
Kulin	17 064	34 127
Lake Grace	25 933	51 865
Mandurah	29 640	59 281
Manjimup	56 749	113 497
Merredin	42 187	84 374
Mingenew	10 859	21 718
Moora	31 948	63 897
Morawa	21 858	43 715
Mt. Marshall	20 943	41 885
Mukinbudin	16 014	32 027
Mullewa	22 479	44 959
Murray	23 830	47 659
Nannup	6 348	12 697
Narembeen	20 324	40 647
Narrogin	13 752	27 505
Northam	24 384	48 769
Northampton	21 984	43 969
Nungarin	8 901	17 802
Perenjori	19 084	38 168
Pingelly	13 509	27 017
Plantagenet	38 019	76 039
Quairading	20 696	41 392
Ravensthorpe	12 642	25 283
Tambellup	11 762	23 523
Tammin	9 904	19 807
Three Springs	13 160	26 321
Toodyay	15 552	31 105
Trayning	12 868	25 737
Victoria Plains	17 834	35 669
Wagin	25 947	51 893
Wandering	6 502	13 004
Warooka	17 206	34 413
West Arthur	15 163	30 327
Westonia	11 565	23 130
Wickepin	15 345	30 689
Williams	12 235	24 471
Wongan-Ballidu	27 127	54 255
Woodanilling	7 542	15 085

	Base Grant \$	Additional Grant \$
Shire of—		
Wyalkatchem .....	15 831	31 662
Yilgarn .....	27 589	55 178
York .....	17 999	35 997
Serpentine-Jarrahdale .....	15 635	31 269
Zone D:		
Shire of—		
Boulder .....	68 771	137 543
Broome .....	10 949	21 899
Carnarvon .....	44 482	88 963
Coolgardie .....	12 253	24 505
Cue .....	1 965	3 931
Dundas .....	16 395	32 791
East Pilbara .....	13 281	26 563
Exmouth .....	16 830	33 660
Hall's Creek .....	5 174	10 348
Laverton .....	1 713	3 425
Leonora .....	6 645	13 291
Meekatharra .....	12 789	25 577
Menzies .....	3 221	6 442
Mt. Magnet .....	4 451	8 903
Murchison .....	4 383	8 767
Port Hedland .....	73 275	146 549
Roebourne .....	35 332	70 664
Sandstone .....	2 379	4 758
Shark Bay .....	2 450	4 901
Upper Gascoyne .....	3 506	7 013
West Kimberley .....	18 614	37 227
West Pilbara .....	13 668	27 337
Wiluna .....	1 577	3 155
Wyndham-East Kimberley .....	24 557	49 115
Yalgoo .....	3 255	6 511

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