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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,
Acting Government Printer.

JUSTICE

JM401**FRIENDLY SOCIETIES ACT 1894**

Form No. 10 (Reg. 10)

Notice is hereby given that the Registrar of Friendly Societies has by writing under his hand dated 5 February 1997 cancelled the registry of the Court Prosperity No. 8964 branch of the Ancient Order of Foresters Western Australian District at the request of the society made 23 January 1997.

Dated this 5th day of February 1997.

PETER RICHARDS, Acting Registrar of Friendly Societies.

LOCAL GOVERNMENT

LG401**DOG ACT 1976***Shire of Menzies*

It is hereby notified for public information that Mr Peter Mitchell has been appointed an Authorised Dog Control Officer for the Shire of Menzies.

G. R. CARTER, Chief Executive Officer.

LG402**DOG ACT 1976***Shire of Pingelly*

It is hereby notified for public information that—

- (i) Mr Bryan John McArthur has been appointed as an authorised Dog Control Officer and authorised Pound Keeper.

M. J. HOOK, Chief Executive Officer.

PLANNING

PD401***TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 254

Ref: 853/6/13/9, Pt. 254.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Mandurah Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

1. Rezoning Lot 11 Mandurah Terrace, Mandurah from Service Station to Commercial.
2. Amending the Scheme Maps accordingly.

K. HOLMES, Mayor.
S. K. GOODE, Chief Executive Officer.

PD402***TOWN PLANNING AND DEVELOPMENT ACT, 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Stirling*

District Planning Scheme No. 2—Amendment No. 295

Ref: 853/2/20/34, Pt. 295.

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of—

rezoning Lot 6932, Hn 89 Cleveland Street, Dianella from “Public Use Reserve-Primary School” to “Residential R30” and “Private Institutions”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 25, 1997.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 25, 1997.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. S. BRAY, Chief Executive Officer.

PD403**TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***City of Stirling*

District Planning Scheme No. 2—Amendment No. 296

Ref: 853/2/20/34, Pt. 296.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

1. Rezoning Lot 7 corner of Scarborough Beach Road and O'Malley Street, Osborne Park from “General Industrial” to “Special Use Zone—Industrial Showrooms and General Industrial”.
2. Altering Schedule II of the Scheme by the addition thereto of the following—

Scarborough Beach Road/O'Malley Street	Portion of Perthshire Loc Au and being Lot 7 on Diagram 34162	Industrial Showrooms & General Industrial
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T. W. CLAREY, Mayor.

R. A. CONSTANTINE, A/Chief Executive Officer.

PD404***TOWN PLANNING AND DEVELOPMENT ACT, 1928****TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Ashburton*

Town Planning Scheme No. 5—Amendment No. 1

Ref: 853/10/3/5, Pt. 1.

Notice is hereby given that the local government of the Shire of Ashburton has prepared the abovementioned scheme amendment for the purpose of—

Modifying the Scheme Text by including development restrictions on land within the flight path of the Onslow Airport.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 11, 1997.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 11, 1997.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. G. CAREY, Chief Executive Officer

PD405***TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Greenough*

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/3/7/5, Pt. 4.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Greenough Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

Modifying the Waggrakine Development Scheme, Scheme Map to—

- (a) relocate the High School site from Lot 1 Hall Road to Lots 11 and 12 Beattie Road, and include Lot 1 Hall Road within the Residential zone; and
- (b) modify the road layout adjacent to Lots 11 and 12 Beattie Road to accommodate the school site.

J. P. EDWARDS, President.
W. T. PERRY, Chief Executive Officer.

PD406***TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Greenough*

Town Planning Scheme No. 4—Amendment No. 71

Ref: 853/3/7/6, Pt. 71.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Greenough Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

1. Rezoning Lots 11 and 12 Beattie Road from Single Residential R12.5 to High School
2. Rezoning Pt Lot 1 Hall Road from High School to Low Density Residential R5;
3. Amend the Scheme Maps accordingly.

J. P. EDWARDS, President.
W. T. PERRY, Chief Executive Officer.

PD407***TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Meekatharra*

Town Planning Scheme No. 3—Amendment No. 1

Ref: 853/9/4/3, Pt. 1.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Meekatharra Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

1. rezoning Lot 324 (Reserve 33230) Main Street, Meekatharra, from "Residential" to "Commercial",
2. rezoning Lots 75 to 78 Main Street, Meekatharra, from "Residential" to "Commercial", and
3. rezoning Lot 83 Main Street, Meekatharra, from "Residential" to "Commercial".

T. HUTCHINSON, President.
M. T. HOWIESON, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Murray

Town Planning Scheme No. 4—Amendment No. 111

Ref: 853/6/16/7, Pt. 111.

Notice is hereby given that the local government of the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of—

Rezoning portion of Locations 404 & 653 Oro Road, Dwellingup, from Rural to Special Use—Chalet Park, and including appropriate details in Schedule 5 of the Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 25, 1997.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 25, 1997.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

D. A. McCLEMENTS, Chief Executive Officer.

PD409

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Swan

Town Planning Scheme No. 9—Amendment No. 278

Ref: 853/2/21/10, Pt. 278.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

Amending the Scheme Map by—

- (i) Reclassifying Lot 187 Arbon Way, Lockridge from 'Local Reserve—Civic & Cultural Area' to 'Residential 2' and depicting a density code of R30; and
- (ii) Reclassifying Lot 17 Weddall Road, Lockridge from 'Local Reserve—Recreation' to 'Residential 2' and depicting a density code of R35; and
- (iii) Rezoning Lots 1-6 Altone Road, and Lots 7-14 Dolan Way, Lockridge from 'Residential Development' to 'Residential 1' and depicting a density code of R20.

E. W. LUMSDEN, Chief Executive Officer.
A. C. FREWING, Executive Manager, Management Services.

PD410

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Toodyay

Town Planning Scheme No. 1—Amendment No. 39

Ref: 853/4/28/2, Pt. 39.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Toodyay Town Planning Scheme Amendment on January 25, 1997 for the purpose of—

1. Adding to Schedule A—Interpretations, the following—

Veterinary Clinic: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients, but in which animals or pets do not remain overnight, and may include a dispensary of medications incidental thereto.

Veterinary Hospital: means a building used in connection with the treatment of animal injuries and ailments, and includes the care and accommodation of animals during or after such treatment.

2. Adding to Tables 1, 8 & 9 of the Scheme the following—

Use	Conditions
Veterinary Clinic)	At the discretion of Council after consideration of the merits of the proposal, its siting and the amenity of the locality.
Veterinary Hospital)	

G. L. LUDEMANN, Mayor.
R. J. MILLAR, Chief Executive Officer.

PD411**TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Wyndham-East Kimberley*

Town Planning Scheme No. 6—Amendment No. 8

Ref: 853/7/5/8 Pt 8

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Wyndham-East Kimberley Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

Rezoning portion of Wyndham Lot 1275 being Lot 3 on Plan 18875 and being the whole of the land contained in Certificate of Title Volume 1945, Folio 590 from Parks and Recreation and a small area of Industrial zoning, to Zoological Gardens and Ancillary Purposes on the west side of Barytes Road and Residential on the east side of Barytes Road.

Adding Appendix No. 4 Special Sites

Use	Lot	Location
Zoological Gardens and ancillary purposes that Council deems appropriate.	3	Barytes Road, West side

Adopting the Policy Statement as prescribed in this Amendment.

C. WOOTTON, President.
A. HAMMOND, Chief Executive Officer.

PD412**TOWN PLANNING AND DEVELOPMENT ACT, 1928****ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Wyndham-East Kimberley*

Town Planning Scheme No. 4—Amendment No. 34

Ref: 853/7/5/6, Pt. 34.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Wyndham-East Kimberley Town Planning Scheme Amendment on February 3, 1997 for the purpose of—

- (1) Creating a new zone—Rural Industry Zone.
- (2) Rezoning portion of King Location 319 North west of Mulligans Lagoon Road and King Location 443 and the closed road, from Rural A to Rural Industry Zone.
- (3) Rezoning portion of King Location 319 South of Mulligans Lagoon Road, from Rural A to Rural B zone.
- (4) Modifying the Scheme Text and Scheme as follows—
 - (a) Adding to Clause 4.1—Zones—a new zone Rural Industry Zone;
 - (b) Adding to Table 1—Use Class/Zones

Rural Industry Zone with the following Use Class References—

Abattoir	X
Camping Area	X
Car Park	IP
Car/Machinery Sales	AA
Caravan Park	X
Caretaker's House/Flat	X

Cattery	AA
Civic Buildings	X
Consulting Rooms	X
Day Care Centre	X
Dog Kennels	AA
Dry Cleaning Premises/Laundrette	X
Education Establishments	X
Equestrian Centre	X
Fish Shop	X
Fuel Depot	P
Funeral Parlour	X
Garden Centre	X
Health Centre	X
Home Occupation	X
Hospital	X
Hotel/Tavern	X
Industry—	
Rural	P
General	AA
Light	AA
Service	AA
Institutional Building	X
Institutional Home	X
Market	X
Milk Depot	AA
Motel	X
Motor Repair	AA
Office	AA
Piggery	X
Poultry Farm	X
Private Club	X
Professional Office	X
Public Amusement	X
Public Assembly	X
Public Utility	P
Public Worship	X
Recreation	AA
Residential Building	X
Residential—	
Single House	X
Grouped Dwelling	X
Multiple Dwelling	X
Restaurant	X
Restricted Premises	X
Rural Pursuit	X
Rural Use	AA
Service Station	X
Shop	X
Showroom	X
Stables	X
Temporary Accommodation	X
Transport Depot	AA
Trade Display	AA
TV/Radio Installation	AA
Veterinary Clinic	AA
Veterinary Hospital	AA
Warehouse	P
Wayside Stall	X
Zoological Gardens	X

(5) Adding to Clause 5.4.2—Development Standards

	Minimum Lot Size	Plot Ratio
Rural Industry	1.0 ha	0.5

The Council will not recommend lot sizes less than 1.0 hectare and requires a plot ratio of 0.5 within the Rural Industry Zone.

(6) Adding to Clause 5.4.3

	Front Setback	Side Setback	Rear Setback
Rural Industry	20	10	15

(7) Modifying Clause 5.4.6—Temporary Accommodation

Except in the Rural Industry Zone, where a caravan or other temporary accommodation is proposed or used during the establishment of an industry, Council may grant approval for such accommodation for a period up to six calendar months. Extensions to this period may be granted where an applicant shows cause, to the satisfaction of Council, why such extension of a similar period shall be granted.

(8) Modifying Clause 5.4.7—Transient Accommodation

Except in the Rural Industry Zone, Council may permit the construction and occupation of a Residential Building on an Industrial Zoned lot providing—

- (i) that any occupant is directly related to the business or industrial activity carried out on the lot;
- (ii) that there shall be limit of seven days of occupation by any such transient worker.

C. WOOTTON, President.
A. HAMMOND, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA301

WESTERN AUSTRALIAN TROTTING ASSOCIATION

RULES OF TROTTING

Notice of Amendment

Notice is hereby given that at a meeting of the Committee of the Western Australia Trotting Association held at Gloucester Park, East Perth, on the 28th day of January 1997, it was resolved by an absolute majority of the members of the Committee that the Rules of Trotting be amended as follows—

Definitions of Manager, Nominator and Racing Manager are amended as follows—

PART 1

DEFINITIONS

“Manager” means a natural person appointed as Manager pursuant to these Rules who shall have the power solely or subject to conditions to control all matters relating to the ownership, registration, breeding or racing of a horse.

“Nominator”

Delete the word *“Racing”*

“Racing Manager” Refer to “Manager”

The Rules are amended by the inclusion of Rule 109(k) and 109(l)—

PART 11

LICENSING

109.

(k) A female reinsperson shall forthwith upon a legally qualified medical practitioner confirming that that she is pregnant notify the Controlling Body in writing of such pregnancy and without limiting the generality of Rule 109(l) the reinspersons licence of such female reinsperson shall thereupon be suspended until such time as she produces to the Controlling Body a certificate from a legally qualified medical practitioner certifying that her pregnancy has terminated and that she is medically fit to drive in a race.

(l) Any female reinsperson who—

- (i) fails or neglects to notify the Controlling Body of her pregnancy as required by Rule 109(k); or
- (ii) drives or attempts to drive in any race or trial after a legally qualified medical practitioner confirms that she is pregnant;

commits an offence and may be fined, suspended or disqualified.

PART 39

INTERFERENCE

Rule 441 is deleted and the following substituted—

Changing Positions (Ease In-Ease Out)

441.

- (1) Subject to these Rules, and to Rule 440 in particular, a driver may change the position of his horse at any time in the race to ensure his horse obtains the best finishing position.
- (2) Where, prior to entering the front straight to receive the bell, any runner making a forward move is obliged to race wider or to be checked or restrained by its driver as a result of the driver of another horse changing the position of his horse, then the driver of the other horse is taken to have committed an offence under Rule 440(a).

Rule 553 is amended by alterations to Part (b), and the inclusion of Parts (c) and (d)—

PART 50
OWNERSHIP OF HORSES

553.

- (a) The register of horses kept by the Controlling Body shall incorporate a register of all owners and their authorised agents and description of each type of ownership interest of each horse listed therein.
- (b) When a horse is owned by two (2) or more persons not being a partnership or syndicate, the part owners shall appoint one of the part owners as a Manager of the horse.
- (c) The nomination of a Manager under Rule 553(b) may be made at any time and from time to time.
- (d) The Controlling Body shall accept a nomination under Rule 553(b) where the nomination is made by the part owners having more than fifty (50%) percent of the interests of shares in the ownership as indicated on the form of nomination.

The Rules are amended as follows—

- Rule 563 by inclusion of Parts (d) & (e), and Part (c) by deleting the word "*Racing*".
- Rules 572 and 577 by deleting the word "*Racing*".

PART 51
SYNDICATES

Syndicate/Partnership Managers

563.

- (c) delete the word "*Racing*".
- (d) The nomination of a Manager under Rule 563(a) may be made by a partnership or syndicate at any time and from time to time.
- (e) The Controlling Body shall accept a nomination under Rule 563(a) where the nomination is made by the members of the partnership or syndicate having more than fifty (50%) percent of the interests of shares in the partnership as indicated on the form of nomination.

Certificate Of Registration

572. Delete the word "*Racing*".

Communication With Syndicates

577. Delete the word "*Racing*".

GARY PAPADOPOULOS, WATA President.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

Notice to Creditors

Donald MacDonald, late of 7 Hollett Road, Stoneville, Western Australia, Retired Crane Operator, deceased. Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on the 6th day of December 1996 are required by the trustee Jeremy Robert Birman of Birman & Ride PO Box W2103, Perth, WA, 6001 to send particulars of their claims to him by the date being one month from the publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ202

TRUSTEES ACT 1962

NOTICE TO CREDITORS

In the Estate of Stevan Mark Gilby late of 24 Serpentine Road, Kambalda, Western Australia, Miner, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relate) in respect of the estate of the deceased who died between 29th August 1995 and 30th August 1995 are required by the Personal Representative, Ronald Harvey Gilby of 18 Nurrari Close, Waikiki, Western Australia 6169, to send particulars of their claims to him by the date being one month from the publication of this notice after which date the Personal Representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ401**PUBLIC TRUSTEE ACT 1941**

(Section 40: Subsection 4)

Notice is hereby given that the rate of Interest payable to the respective estates and trusts, the moneys of which are held in the Common Fund, have, as from 1 February 1997, been fixed as follows, calculated on the daily balance.

Court Trusts, Minor Trusts, Agency Trusts, Deceased and Uncared-for-Property (in the state of trusteeship or where considered necessary by the Public Trustee) otherwise prescribed. Incapable Patients' and Infirm Persons' Estates and Represented Persons' Estates; at the rate of 6.00% per annum. Deceased and Uncared-for Property (in course of administration or whilst under investigation); at the rate of 5.5%.

Investment Agencies at the rate of 5.5% per annum.

K. BRADLEY, Public Trustee.

ZZ402**THE ANGLICAN CHURCH OF AUSTRALIA, CONSTITUTIONAL AMENDMENTS**

Notice is hereby given that the Most Reverend Keith Rayner AO, Archbishop of Melbourne, President of the General Synod and Primate of the Anglican Church of Australia has declared, pursuant to section 67(2) of the Constitution and Rules of the General Synod, that on 1 May, 1997 the following Constitutional amendments shall come into effect and the Constitution on and from that day will be altered accordingly.

1995 No. 9, Constitution Amendment (Table Annexed) Canon, 1995

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