



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 82**  
**Friday, 1 July 2005**

Published under authority by Government Advertising and Information

## **SPECIAL SUPPLEMENT**

### **FISHERIES MANAGEMENT ACT 1994**

#### Total Allowable Commercial Catch for Abalone

THE Total Allowable Catch Setting and Review Committee, pursuant to Division 4 of Part 2 of the Fisheries Management Act 1994, by this notice specifies that the total allowable commercial catch for abalone for the fishing period beginning 1 July 2005 to 30 June 2006 (both dates inclusive) is 130 tonnes.

The following regional catch limits should not be exceeded:

- None is taken from Region 1 south of Port Stephens,
- The catch from Region 2 be not more than 5 tonnes,
- The catch from Regions 3 and 4 be not more than 64 tonnes and
- The catch from Regions 5 and 6 be not more than 61 tonnes.

IAN MACDONALD, M.L.C.,  
Nsw Minister for Primary Industries

**STOCK DISEASES (GENERAL) REGULATION 2004**

## DETERMINATION PURSUANT TO CLAUSE 36(7)

DETERMINATION OF THE RECORDS OF SPECIAL IDENTIFIERS THAT MUST BE KEPT AND  
THE TIME FOR WHICH THEY MUST BE KEPT

I, BARRY DESMOND BUFFIER, Director-General of the Department of Primary Industries:

- A. pursuant to clause 36(7) of the Stock Diseases (General) Regulation 2004 ('the regulation'), revoke the determination titled 'Determination of the Records of Special Identifiers that must be kept and the time for which they must be preserved' dated 1 July 2004, and any determination revived as a result of this revocation; and
- B. pursuant to clause 36(7) of the regulation determine that the records specified in Schedule 1 must be kept by a person who is authorised to supply special identifiers in accordance with clause 36 of the regulation for at least two years from the date on which the record is made.

---

Schedule 1

1. Name and business or residential address of the person to whom the special identifiers were issued,
2. Name and business or residential address of the owner of the stock,
3. Address and property identification code (if known) of the property of origin of the stock,
4. Class and brief description of the stock being identified,
5. Type and quantity of special identifiers issued,
6. Reason for issue of special identifiers,
7. Copy of declaration of HGP-freedom if pink special identifiers are being issued,
8. Identification code and serial number on each special identifier issued, and
9. Date and place of issue of the special identifiers.

This Order commences on 1 July 2005.

Signed this 29th day of June 2005.

B. D. BUFFIER,  
Director-General

**STOCK DISEASES (GENERAL) REGULATION 2004**

## ORDER PURSUANT TO CLAUSE 16

## EXEMPTIONS FROM THE REQUIREMENT FOR STOCK TO BE IDENTIFIED FOR TRANSACTION PURPOSES

I, BARRY DESMOND BUFFIER, Director-General of the Department of Primary Industries:

- A. pursuant to clause 3(2) of the Stock Diseases (General) Regulation 2004 ('the regulation'), revoke the order titled 'Exemptions from the requirement for stock to be identified for transaction purposes' published in Government Gazette No. 111 of 1 July 2004 and any order revived as a result of this revocation; and
- B. pursuant to clause 16(4)(h) of the regulation, exempt from the application of Part 3 Division 2 of the regulation the sale or purchase of stock, or the sending of stock as specified in Schedule 1.

---

Schedule 1

10. In this order –

bobby calf means a calf of less than 6 weeks of age that is not accompanied by its dam.

special NLIS device means a special identifier that is approved by the SAFEMEAT National Livestock Identification System Standards Committee as a post breeder device and which contains either a district code or a property identification code that has been assigned to a saleyard.

2. The sale or purchase of stock, or the sending of stock, is exempt from the application of Part 3 Division 2 of the regulation in the following circumstances:

2.1 Stock sold and consigned directly for export,

OR

2.2 Stock consigned directly from a property to an abattoir that receives stock exclusively from that property,

OR

2.3 Stock consigned directly to an abattoir for slaughter and the carcass returned to the stock owner for their personal consumption or use,

OR

2.4 Stock that:

- (i) is from a cattle herd accredited under the National Feedlot Accreditation Scheme, or the European Union Cattle Accreditation Scheme, CATTLE CARE, or a dairy herd that is owned or managed by a licensed dairy farmer within the meaning of Schedule 1 of the Food Production (Dairy Food Safety Scheme) Regulation 1999,
- (ii) is consigned directly to an abattoir from the property,
- (iii) has a management ear tag securely attached to the animal's ear, and
- (iv) the relevant property identification code is legibly printed on the management ear tag,

OR

2.5 Stock that is:

- (i) a bobby calf,
- (ii) identified with a permanent identifier or special NLIS device before leaving its property of birth in accordance with Part 3 Division 4 of the regulation, and
- (iii) consigned from its property of birth directly to an saleyard for sale or an abattoir for slaughter,

OR

2.6 Stock that is:

- (i) identified with a permanent identifier or special NLIS device in accordance with Part 3 Division 4 of the regulation, and

- (ii) sold as store or breeding stock for the purposes of restocking a property in accordance with the prior approval of a Senior Regional Animal Health Manager or Regional Animal Health Leader.

This Order commences on 1 July 2005.

Signed this 29th day of June 2005.

B. D. BUFFIER,  
Director-General

---

### FISHERIES MANAGEMENT ACT, 1994

#### Section 8 Notification – Fishing Closure

I, IAN MACDONALD, NSW Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act, 1994 (the Act), prohibit the taking of all species of abalone from all New South Wales waters except in accordance with the conditions specified below.

Conditions:

1. A person may take no more than two (2) abalone on any day.
2. A person may possess no more than two (2) abalone at any time in, on or adjacent to waters, while transporting the fish or storing the fish.
3. This fishing closure does not apply to the taking or possession of abalone for sale that is authorised under the abalone share management fishery.
4. This fishing closure does not affect the operation of any other fishing closure. In particular, this fishing closure does not authorise the taking or possession of abalone where the taking or possession of abalone is otherwise prohibited.
5. This fishing closure prevails over any bag limit or possession limit prescribed in the Regulations to the Act that would otherwise authorise taking or possession of larger numbers of abalone.

This notification is effective for a period of one (1) year from 1 July 2005 to 30 June 2006 (dates inclusive), unless sooner varied or revoked by a further notification published in accordance with Division 1 of Part 2 of the Act.

IAN MACDONALD, M.L.C.,  
NSW Minister for Primary Industries



New South Wales

## Sydney Water Amendment (Penalty Notices) Regulation 2005

under the

Sydney Water Act 1994

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Sydney Water Act 1994*.

FRANK ERNEST SARTOR, M.P.,  
Minister for Energy and Utilities

### Explanatory note

The objects of this Regulation are:

- (a) to increase the penalty payable in relation to a penalty notice issued for an offence under section 48 (Illegal diversion of water) of the *Sydney Water Act 1994* from \$550 to \$2,200, and
- (b) to increase the penalty payable by a corporation in relation to a penalty notice issued for an offence under clause 17 (Restrictions on use of water) of the *Sydney Water Regulation 2000* from \$220 to \$550 (the penalty payable by an individual will remain the same, being \$220).

This Regulation is made under the *Sydney Water Act 1994*, including sections 50 and 106 (the general regulation-making power).

Clause 1 Sydney Water Amendment (Penalty Notices) Regulation 2005

---

## **Sydney Water Amendment (Penalty Notices) Regulation 2005**

under the

Sydney Water Act 1994

### **1 Name of Regulation**

This Regulation is the *Sydney Water Amendment (Penalty Notices) Regulation 2005*.

### **2 Commencement**

This Regulation commences on 1 July 2005.

### **3 Amendment of Sydney Water Regulation 2000**

The *Sydney Water Regulation 2000* is amended as set out in Schedule 1.

Sydney Water Amendment (Penalty Notices) Regulation 2005

Amendments

Schedule 1

## Schedule 1 Amendments

(Clause 3)

### [1] Clause 35 Penalty notice offences

Omit clause 35 (b). Insert instead:

- (b) the penalty prescribed for such an offence if dealt with under that section is:
  - (i) in the case of a penalty payable by an individual—the amount specified in relation to the offence in Column 2 of that Schedule, and
  - (ii) in the case of a penalty payable by a corporation—the amount specified in relation to the offence in Column 3 of that Schedule.

### [2] Schedule 1

Omit the Schedule. Insert instead:

## Schedule 1 Penalty notice offences

(Clause 35)

Column 1 Provision	Column 2 Penalty for an individual	Column 3 Penalty for a corporation
<b>Offences under the Act</b>		
Section 48	\$2,200	\$2,200
<b>Offences under this Regulation</b>		
Clause 17 (3)	\$220	\$550

ISSN 0155-6320

Authorised to be printed  
ROBERT J. GALLAGHER, Government Printer.