



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 142**  
**Friday, 25 October 2013**

Published under authority by the Department of Premier and Cabinet

## SPECIAL SUPPLEMENT

### CONTROL (AVIAN INFLUENZA) ORDER (NO. 2) 2013

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, JULIET ANNE CORISH, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 and pursuant to section 22 of that Act, make the following Order.

Dated this 25th day of October 2013.

JULIET ANNE CORISH,  
Deputy Chief Veterinary Officer

#### 1. Name of Order

This Order is the Control (Avian Influenza) Order (No. 2) 2013.

#### 2. Commencement

This Order commences on the date on which it is signed.

#### 3. Definitions

In this Order:

*Avian Influenza Control Area No. 2* means the area described in Schedule 1 to the Control Area (Avian Influenza) Order No. 2.

*Avian Influenza Restricted Area No. 2* means the area described in Schedule 1 to the Restricted Area (Avian Influenza) Order No. 2.

*bird* means any animal of the avian species.

*bird fitting* means any fittings, as defined by the Act, in relation to birds.

*bird fodder* means any fodder, as defined by the Act, in relation to birds.

*bird product* means any animal product, as defined by the Act, in relation to birds.

*Control Area (Avian Influenza) Order No. 2* means the Control Area (Avian Influenza) Order (No. 2) 2013 signed on 25 October 2013 pursuant to section 21 of the Act, in relation to the emergency animal disease avian influenza.

*disinfect* means bathe with a disinfectant chemical or heat, irradiate, fumigate or otherwise treat so as to destroy all avian influenza virus present.

*Restricted Area (Avian Influenza) Order No. 2* means the Restricted Area (Avian Influenza) Order (No. 2) 2013 signed on 24 October 2013 pursuant to section 15 of the Act, in relation to the emergency animal disease avian influenza.

*Retail Outlet* means any person or business that sells bird product but does not include any person or business within Avian Influenza Restricted Area No. 2 or Avian Influenza Control Area No. 2 that sells bird product directly from the farm gate.

*the Act* means the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.

**4. Prohibitions for Avian Influenza Control Area No. 2**

- (1) Pursuant to section 22(1)(a) of the Act, the movement of any:
  - (a) bird;
  - (b) bird product;
  - (c) soil that has come into contact with any bird or bird product,into, within or out of Avian Influenza Control Area No. 2 is prohibited.
- (2) Pursuant to section 22(1)(a) of the Act, the holding of markets, fairs, sales, shows, parades, race meetings or other gatherings or competitions involving any birds or bird products within Avian Influenza Control Area No. 2 is prohibited.
- (3) Pursuant to section 22(1)(a) of the Act, the presence or exposure of birds at any place within Avian Influenza Control Area No. 2 where birds are exposed for exhibition, parade, race meetings or any form of recreation or competition is prohibited.

**5. Measures to be taken within Avian Influenza Control Area No. 2**

- (1) Pursuant to section 22(1)(b) of the Act, all persons within Avian Influenza Control Area No. 2 who are in control of any bird are ordered to take the following measures:
  - (a) immediately report any unexplained increases in mortalities in the birds under their control to the Department of Primary Industries or an inspector;
  - (b) make the birds under their control available for testing if requested by the Department of Primary Industries or an inspector.
- (2) Pursuant to section 22(1)(b) of the Act, all persons within Avian Influenza Control Area No. 2 who are in control of bird fodder that has come into contact with any bird or bird product are ordered to not move that fodder.
- (3) Pursuant to section 22(1)(b) of the Act, all persons within Avian Influenza Control Area No. 2 who are in control of any bird fitting that has come into contact with any bird or bird product are ordered to disinfect that fitting prior to moving it within or out of Avian Influenza Control Area No. 2.
- (4) Pursuant to section 22(1)(b) of the Act, all persons within Avian Influenza Control Area No. 2 who are in control of a vehicle that has been in contact with any bird or bird product (other than bird product obtained from a Retail Outlet or bird product obtained from outside Avian Influenza Control Area No. 2) are ordered to disinfect the vehicle prior to moving the vehicle within or out of Avian Influenza Control Area No. 2.
- (5) Pursuant to section 22(1)(b) of the Act, all persons within Avian Influenza Control Area No. 2 who have been in contact with any bird or bird product (other than bird product obtained from a Retail Outlet or bird product obtained from outside Avian Influenza Control Area No. 2) are directed to take the following measures prior to moving within or out of Avian Influenza Control Area No. 2:
  - (a) wash all exposed skin and hair in warm, soapy water to remove all traces of bird product; and
  - (b) any one of the following:
    - (i) launder all the person's clothing in warm, soapy water to remove all traces of bird product; or
    - (ii) change into clean clothing; or
    - (iii) if full personal protective clothing has been worn, remove the personal protective clothing.

**CONTROL AREA (AVIAN INFLUENZA) ORDER (NO. 2) 2013**

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, JULIET ANNE CORISH, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 and pursuant to section 21 of that Act being of the opinion that it is reasonably necessary for the purpose of preventing the spread of the emergency animal disease avian influenza make the following Order.

Dated this 25th day of October 2013.

JULIET ANNE CORISH,  
Deputy Chief Veterinary Officer

**1. Name of Order**

This Order is the Control Area (Avian Influenza) Order (No. 2) 2013.

**2. Commencement**

This Order commences on the date on which it is signed.

**3. Interpretation**

(1) In this Order:

*Avian Influenza Restricted Area No. 2* means the area described in Schedule 1 to the Restricted Area (Avian Influenza) Order No. 2.

*Restricted Area (Avian Influenza) Order No. 2* means the Restricted Area (Avian Influenza) Order (No. 2) 2013 signed on 24 October 2013 pursuant to section 15 of the Act, in relation to the emergency animal disease avian influenza.

(2) In this Order, longitude and latitude coordinates are in GDA94 datum.

**4. Declaration of Control Area No. 2**

(1) The area described in Schedule 1, which is within the State of New South Wales, is declared to be a control area.

(2) The map in Schedule 2 is for information purposes and does not limit the description of the area in Schedule 1.

**SCHEDULE 1 – Control Area No. 2**

The area within a 10 kilometre radius of the coordinates Latitude -34Deg. 5Min. 36.1Sec and Longitude 148Deg. 7Min. 16.5Sec excluding the Avian Influenza Restricted Area No 2, as represented by the hatched area on the map in Schedule 2 below.

**SCHEDULE 2 – Map of Control Area No. 2**

**CONTROL AREA (AVIAN INFLUENZA) GENERAL PERMIT (NO. 2) 2013**

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, SAMANTHA JAYNE ALLAN, Inspector, pursuant to section 24 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 grant the following general Permit.

Dated this 25th day of October 2013.

SAMANTHA JAYNE ALLAN,  
Inspector

**1. Name of Permit**

This Permit is the Control Area (Avian Influenza) General Permit (No. 2) 2013.

**2. Commencement**

This Permit commences on the date on which it is published on the Department's internet website.

**3. Definitions**

In this Permit:

*Avian Influenza Control Area No. 2* means the area described in Schedule 1 to the Control Area (Avian Influenza) Order No. 2.

*Avian Influenza Restricted Area No. 2* means the area described in Schedule 1 to the Restricted Area (Avian Influenza) Order No. 2.

*bird* means any animal of the avian species.

*bird product* means any animal product, as defined by the Act, in relation to birds.

*Control Area (Avian Influenza) Order No. 2* means the Control Area (Avian Influenza) Order (No. 2) 2013 signed on 25 October 2013 pursuant to section 20 of the Act, in relation to the emergency animal disease avian influenza.

*Restricted Area (Avian Influenza) Order No. 2* means the Restricted Area (Avian Influenza) Order (No. 2) 2013 signed on 24 October 2013 pursuant to section 15 of the Act, in relation to the emergency animal disease avian influenza.

*Retail Outlet* means any person or business that sells bird product but does not include any person or business within Avian Influenza Restricted Area No. 2 or Avian Influenza Control Area No. 2 that sells bird product directly from the farm gate.

*the Act* means the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.

**4. General Permit**

- (1) Pursuant to section 24 of the Act, all persons in New South Wales are authorised to make movements in accordance with this clause.
- (2) Any bird may be moved through (into, within and out of) Avian Influenza Control Area No. 2 on condition that the bird is not unloaded within Avian Influenza Control Area No. 2.
- (3) Any bird product may be moved through (into, within and out of) Avian Influenza Control Area No. 2 on condition that it is not unloaded within Avian Influenza Control Area No. 2.
- (4) Any bird product obtained from a Retail Outlet may be moved into, within or out of Avian Influenza Control Area No. 2.
- (5) Any bird product obtained from outside Avian Influenza Control Area No. 2 may be moved into and within Avian Influenza Control Area No. 2.
- (6) Any soil may be moved into Avian Influenza Control Area No. 2.

**RESTRICTED AREA (AVIAN INFLUENZA) ORDER (NO. 2) 2013**

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, JULIET ANNE CORISH, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 and pursuant to section 15 of that Act being of the opinion that the area specified in Schedule 1 may be or become infected with the emergency animal disease Avian influenza make the following Order.

Dated this 24th day of October 2013.

JULIET ANNE CORISH,  
Deputy Chief Veterinary Officer

**1. Name of Order**

This Order is the Restricted Area (Avian Influenza) Order (No. 2) 2013.

**2. Commencement**

This Order commences on the day on which it is signed.

**3. Definitions**

In this Order:

*bird* means any animal of the avian species.

*bird fittings* means any fittings, as defined by the Act, in relation to birds.

*bird fodder* means any fodder, as defined by the Act, in relation to birds.

*bird product* means any animal product, as defined by the Act, in relation to birds.

*the Act* means the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.

**4. Declaration of Restricted Area No. 2**

- (1) The area described in Schedule 1, which is within the State of New South Wales, is declared to be a restricted area.
- (2) The map in Schedule 2 is for information purposes and does not limit the description of the area in Schedule 1.
- (3) This Order applies to the classes of animals, animal products, fodder, fittings, soil and vehicles described in Schedule 3.

Note: Section 16 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 provides that a person who causes or permits any animals, animal products, fodder, fittings, soil or vehicles to which a restricted area declaration applies to be moved into, within or out of a restricted area is guilty of an offence unless the person is authorised to do so by a permit and the person complies with any condition set out in the permit.

**SCHEDULE 1 – Restricted Area No. 2**

The area consisting of the Lot and Deposited Plan Numbers listed in Columns 1 and 2 of the Table below as represented by the map in Schedule 2.

Column 1 Lot Number	Column 2 Deposited Plan Number
1	828036
1	1178435
1	828035
1	249158
2	828035
2	828036
2	249158
41	754594
63	754594
111	754594
112	754594
113	754594
114	754594
121	754594
129	754594

## SCHEDULE 2 – Map of Restricted Area No. 2



## SCHEDULE 3 – Classes of animals, animal products, fodder, fittings, soil and vehicles

- (1) Class of animals  
All birds
- (2) Class of animal products  
All bird products
- (3) Class of fodder and fittings  
All bird fodder and bird fittings
- (4) Class of soil  
All soil that has come into contact with any birds, bird products, bird fodder or bird fittings described in this Schedule.
- (5) Class of vehicles  
All vehicles that have been used in connection with any birds, bird products, bird fodder, bird fittings or soil described in this Schedule.

**RESTRICTED AREA (AVIAN INFLUENZA) ENTRY AND EXIT POINTS NOTICE (NO. 2) 2013**

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, SAMANTHA JAYNE ALLAN, Inspector, pursuant to section 18 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991, issue the following Notice providing notice of the entry and exit points for the Avian Influenza Restricted Area No. 2.

Dated this 24th day of October 2013.

SAMANTHA JAYNE ALLAN,  
Inspector

**1. Name of Notice**

This Notice is the Restricted Area (Avian Influenza) Entry and Exit Points Notice (No. 2) 2013.

**2. Commencement**

This Notice commences on the date it is published on the Department's internet website.

**3. Definitions**

In this Notice:

*Avian Influenza Restricted Area No. 2* means the area described in Schedule 1 to the Restricted Area (Avian Influenza) Order No. 2.

*Restricted Area (Avian Influenza) Order No. 2* means the Restricted Area (Avian Influenza) Order (No. 2) 2013 signed on 24 October 2013 pursuant to section 15 of the Act, in relation to the emergency animal disease avian influenza.

*the Act* means the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.

**4. Notice of entry and exit points**

Pursuant to section 18(1) of the Act, all persons in New South Wales are notified that any movement into or out of the Avian Influenza Restricted Area No. 2 of birds, bird product, fodder, fittings, soil or vehicle described in Schedule 3 to the Restricted Area (Avian Influenza) Order No. 2 must be made only through the following entry and exit points:

All roads into and out of the Avian Influenza Restricted Area No. 2.

Notes:

1. Any movements of birds, bird products, fodder, fittings, soil or vehicles to which the Restricted Area (Avian Influenza) Order No. 2 applies must be made only in accordance with a permit issued by an inspector under section 24 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991.
2. Substantial penalties apply for breaches of these restrictions.

ISSN 0155-6320

---

Authorised to be printed  
TONY DUCKMANTON, Government Printer.