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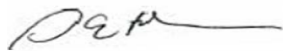
Biosecurity (QX Disease) Control Order 2021

under the

Biosecurity Act 2015

I, SARAH BRITTON, Group Director Animal Biosecurity, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of the *Biosecurity Act 2015*, make the following Control Order.

Dated, 22nd day of October 2021



Sarah Britton
Group Director Animal Biosecurity
Department of Primary Industries
Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (QX Disease) Control Order 2021*.

2 Commencement and duration

- (1) This Control Order commences on the date on which it is made.
- (2) This Control Order has effect for two years from the date on which it is made.

Note. Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

3 Definitions

- (1) In this Control Order:

Department means Regional NSW.

oyster means any bivalve mollusc of the family *Ostreida*, and also includes the Akoya Pearl Oyster being the species *Pinctada imbricata* (Pteriidae family).

oyster cultivation equipment and infrastructure includes trays, baskets, catching materials, post and rail, cables and floats, boats and any other thing used in the cultivation of oysters.

Oyster Shipment Log Book has the same meaning as in clause 9 of the *Fisheries Management (Aquaculture) Regulation 2017*.

Port Stephens estuary means all the waters of that estuary, including all its lakes, lagoons, inlets, channels, creeks and tributaries, and for the avoidance of doubt includes the Myall and Karuah Rivers and Tilligerry Creek.

QX disease means the disease of Sydney Rock Oysters (*Saccostrea glomerata*) caused by the parasite *Marteilia sydneyi*.

routine maintenance activities in relation to oysters includes, but is not limited to the handling of, working with, depuration, culling, grading and thinning of oysters.

the Act means the *Biosecurity Act 2015*.

the Regulation means the Biosecurity Regulation 2017.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this control order is as follows:

- (a) The introduction, presence, spread and increase of QX disease (the **biosecurity matter**) has the potential to have an adverse effect on the economy, the environment and the community (the **biosecurity impact**).
- (b) QX disease was first detected in the Port Stephens Estuary on 27 August 2021. QX disease causes Sydney Rock Oysters to lose condition and die, and can result in mass oyster mortalities.
- (c) Control measures are required to prevent the spread of QX disease from the Port Stephens estuary to other estuaries in New South Wales. Control measures are also required to minimise and manage the biosecurity impact of QX disease in the Port Stephens estuary.

5 Control zone

The control zone in relation to which control measures are required to be implemented is the Port Stephens Estuary. The control zone is called the *Port Stephens QX Disease Control Zone*.

6 Person to whom control measures apply

The control measures in Part 2 of this Control Order apply to any person who deals with oysters where some or all of those dealings are authorised (or required to be authorised) by a permit under the *Fisheries Management Act 1994*.

Part 2 Control measures

7 Control measure – movement of oysters from Port Stephens QX Disease Control Zone

Oysters must not be removed from the Port Stephens QX Disease Control Zone unless:

- (a) the oysters are being moved directly to a medium QX risk area or a high QX risk area where such relocation is otherwise lawfully permitted, or

Notes.

- 1. Medium QX risk area and high QX risk area have the same meaning as in clause 49 of the Regulation.
 - 2. Relocation may be precluded by the conditions of an aquaculture permit under the *Fisheries Management Act 1994*.
- (b) the oysters are being moved to enable routine maintenance activities to occur at premises adjacent to the Port Stephens QX Disease Control Zone, or
 - (c) the oysters are moved for the purpose of human consumption, either being moved
 - (i) directly to a point of sale, or

- (ii) directly to a facility for packaging or consignment to a wholesaler or retailer, or
- (iii) directly to a depuration facility adjacent to the Port Stephens QX Disease Control Zone.

Notes.

1. Under clause 49 of the Regulation the Port Stephens estuary is declared to be a low QX risk area.
2. Clauses 49(5) and (6) of the Regulation set out the circumstances in which an oyster may be removed from a high QX risk area or medium QX risk area, which do not allow for such oysters to be moved to a low QX risk area.

8 Control measure – restriction on movement of oyster cultivation equipment from Port Stephens QX Disease Control Zone

Oyster cultivation equipment may only be moved from the Port Stephens QX Disease Control Zone to another low QX risk area if the following are satisfied:

- (a) the oyster cultivation equipment was dried for 30 days at premises adjacent to the Port Stephens QX Disease Control Zone before being moved to the low QX risk area, and
- (b) the proposed relocation was recorded in the Oyster Shipment Log Book, and
- (c) not less than 48 hours before the proposed relocation, a copy of the Oyster Shipment Log book was either:
 - (i) given to a NSW Fisheries Officer at the Port Stephens Fisheries Office, or
 - (ii) sent via email to oyster.import@dpi.nsw.gov.au, and
- (d) a copy of the Oyster Shipment Log Book accompanies the oyster cultivation equipment at all times.

Notes.

1. Low QX risk area has the same meaning as in clause 49 of the Regulation.
2. Under clause 49 of the Regulation the Port Stephens estuary is declared to be a low QX risk area. Clause 49(7) of the Regulation prohibits a person from moving oyster cultivation equipment from a high QX risk area or medium QX risk area to a low QX risk area unless an equivalent process to that set out in clause 8(1) above is followed (see clause 98 of the Biosecurity Order (Permitted Activities) 2019).

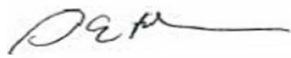
Revocation of General Biosecurity Direction (QX Disease Port Stephens) 2021

under the

Biosecurity Act 2015

I, SARAH BRITTON, Group Director Animal Biosecurity, with the delegation of the Minister administering the *Biosecurity Act 2015* (the **Act**), under section 125 of the Act revoke the general biosecurity direction described in the Schedule, believing it is necessary for the administration of the Act.

Dated 22nd day of October 2021



Sarah Britton
Group Director Animal Biosecurity
Department of Primary Industries
Regional NSW

Schedule

General Biosecurity Direction applying to persons who have an aquaculture permit to cultivate oysters in the Port Stephens Estuary (ref OUT21/11951), made on 31 August 2021 and published at https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0011/1331696/OUT21-11951.pdf

Pursuant to section 136 of the *Mining Act 1992* and section 16 of the *Petroleum (Onshore) Act 1991*

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(APP-2021-312)

No. 6361, BARRIER RESOURCES PTY LTD (ACN 653507861), area of 14 units, for Group 1 and Group 2, dated 20 October 2021. (Broken Hill Mining Division).

(APP-2021-288)

No. 6362, DOLO DIAMONDS PTY LTD (ACN 654660778), area of 300 units, for Group 6, dated 21 October 2021. (Broken Hill Mining Division).

(APP-2021-313)

No. 6363, UNITED STONE INDUSTRIES PTY LTD (ACN 605293230), area of 14 units, for Group 2, dated 21 October 2021. (Orange Mining Division).

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(APP-2021-164)

No. 6297, now Exploration Licence No. 9310, SHREE MINERALS LTD (ACN 130 618 683), County of Clarendon, Map Sheet (8527), area of 4 units, for Group 1, dated 25 October 2021, for a term until 25 October 2027.

(APP-2021-171)

No. 6301, now Exploration Licence No. 9306, HAVERFORD HOLDINGS PTY LTD (ACN 142660553), Counties of Canbelego and Cowper, Map Sheet (8135), area of 35 units, for Group 1, dated 30 September 2021, for a term until 30 September 2027.

(APP-2021-186)

No. 6309, now Exploration Licence No. 9311, BACCHUS RESOURCES PTY LTD (ACN 606340872), Counties of Cooper and Dowling, Map Sheet (8130, 8230), area of 100 units, for Group 1, dated 25 October, 2021, for a term until 25 October, 2027.

(APP-2021-195)

No. 6313, now Exploration Licence No. 9308, GILMORE METALS PTY LTD (ACN 617943227), County of Georgiana, Map Sheet (8730, 8830), area of 60 units, for Group 1, dated 21 October 2021, for a term until 21 October 2026.

(APP-2021-196)

No. 6314, now Exploration Licence No. 9305, AUSTRALIAN CONSOLIDATED GOLD HOLDINGS PTY LTD (ACN 619 975 405), Counties of Clyde, Finch and Leichhardt, Map Sheet (8337, 8437), area of 147 units, for Group 1, dated 15 October, 2021, for a term until 15 October, 2024.

(APP-2021-200)

No. 6316, now Exploration Licence No. 9304, SOZO RESOURCES PTY LTD (ACN 651219939), Counties of Forbes and Monteagle, Map Sheet (8530), area of 119 units, for Group 1, dated 15 October 2021, for a term until 15 October 2023.

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(TMS-2020-503)

No. 6175, MINING AND ENERGY GROUP PTY LTD (ACN 149790161), County of Goulburn, County of Hume, County of Mitchell, County of Urana and County of Wynyard, Map Sheet (8226, 8426, 8427). Withdrawal took effect on 25 October 2021.

(APP-2021-301)

No. 6356, COBAR MINERALS PTY LTD (ACN 623 510 430), County of Mouramba, Map Sheet (8133). Withdrawal took effect on 22 October 2021.

NOTICE is given that the following applications for renewal have been received:

(REN-2021-130)

Exploration Licence No. 7407, COALWORKS (VICKERY SOUTH) PTY LTD (ACN 138 395 141) AND VICKERY SOUTH PTY LTD (ACN 142 525 282), area of 720 hectares. Application for renewal received 21 October 2021.

(REN-2021-189)

Exploration Licence No. 7989, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 6 units. Application for renewal received 20 October 2021.

(REN-2021-190)

Exploration Licence No. 8192, OCHRE RESOURCES PTY LTD (ACN 112 833 351), area of 60 units. Application for renewal received 25 October 2021.

(REN-2021-178)

Exploration Licence No. 8804, RIMFIRE PACIFIC MINING N.L. (ACN 006 911 744), area of 44 units. Application for renewal received 20 October 2021.

(REN-2021-179)

Exploration Licence No. 8805, RIMFIRE PACIFIC MINING N.L. (ACN 006 911 744), area of 39 units. Application for renewal received 20 October 2021.

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(TMS-REN300)

Exploration Licence No. 5552, MANGOOLA COAL OPERATIONS PTY LIMITED (ACN 127 535 755), County of Brisbane, Map Sheet (9033), area of 229.3 hectares, for a further term until 7 November 2025. Renewal effective on and from 18 October 2021.

(TMS-REN460)

Mineral Claim Converted to Lease No. 279 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 1.8 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN459)

Mineral Claim Converted to Lease No. 280 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Adelong, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN458)

Mineral Claim Converted to Lease No. 281 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Adelong, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN457)

Mineral Claim Converted to Lease No. 282 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN456)

Mineral Claim Converted to Lease No. 283 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN455)

Mineral Claim Converted to Lease No. 284 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 1.6 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN454)

Mineral Claim Converted to Lease No. 285 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 1.6 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

TMS-(REN453)

Mineral Claim Converted to Lease No. 286 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Map Sheet (8527-3-N), area of 3500 square metres, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN451)

Mineral Claim Converted to Lease No. 287 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN450)

Mineral Claim Converted to Lease No. 288 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN448)

Mineral Claim Converted to Lease No. 289 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 1.8 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN447)

Mineral Claim Converted to Lease No. 290 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 2 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN446)

Mineral Claim Converted to Lease No. 291 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Califat, County of Wynyard, Map Sheet (8527-3-N), area of 1.8 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN445)

Mineral Claim Converted to Lease No. 311 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Adelong, County of Wynyard, Map Sheet (8527-3-N), area of 1.86 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN443)

Mineral Claim Converted to Lease No. 312 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Adelong, County of Wynyard, Map Sheet (8527-3-N), area of 1.83 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

(TMS-REN444)

Mineral Claim Converted to Lease No. 313 (Act 1992), CHALLENGER MINES PTY LTD (ACN 090 166 528), Parish of Adelong, County of Wynyard, Map Sheet (8527-3-N), area of 1.98 hectares, for a further term until 27 September 2040. Renewal effective on and from 25 October 2021.

APPLICATIONS TO TRANSFER RECEIVED

Notice is given that the following applications to transfer have been received:

(TRF-2021-42)

CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598) has applied for approval to transfer Exploration Licence No. 2033 to CADIA HOLDINGS PTY LIMITED (ACN 062 648 006). Application received 19 October 2021.

(TRF-2021-42)

CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598) has applied for approval to transfer Exploration Licence No. 2378 to CADIA HOLDINGS PTY LIMITED (ACN 062 648 006). Application received 19 October 2021.

(TRF-2021-42)

CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598) has applied for approval to transfer Exploration Licence No. 2984 to CADIA HOLDINGS PTY LIMITED (ACN 062 648 006). Application received 19 October 2021.

(TRF-2021-42)

CLIMAX AUSTRALIA PTY LIMITED (ACN 002 164 598) has applied for approval to transfer Exploration Licence No. 3767 to CADIA HOLDINGS PTY LIMITED (ACN 062 648 006). Application received 19 October 2021.

(TRF-2021-41)

AUSTRALIAN MINES LIMITED (ACN 073914191) has applied for approval to transfer Exploration Licence No. 9300 to FLEMINGTON MINING OPERATIONS PTY LTD (ACN 614 910 324). Application received 19 October 2021.

REQUESTED CANCELLATIONS

Notice is given that the following authority has been cancelled:

(APP-2021-156)

Exploration Licence No. 8900, PEEL MINING LIMITED (ACN 119 343 734), County of Canbelego, County of Flinders and County of Robinson, Map Sheet (8134, 8135), area of 36 units. Cancellation took effect on 10 September 2021.
