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SPECIAL SUPPLEMENT

EXOTIC DISEASES OF ANIMALS ACT 1991

ORDER – Section 22

Control Order – Vaccine Prohibition

I, SALLY ANN SPENCE, an inspector under the Exotic Diseases of Animals Act 1991 (“the Act”), having been directed by, IAN JAMES ROTH, Deputy Chief Veterinary Officer, pursuant to his delegated powers under section 67 of the Act, to make the following Control Order, hereby:

- (a) Revoke the control order dated 21 October 2007 and titled ‘Control Order – Vaccine Prohibition’ and any orders revived as a result of that revocation; and
- (b) Order pursuant to section 22(1)(b) of the Act, that all persons specified in Schedule 1 comply with the measures described in Schedule 2 in the Control Area (including all Restricted Areas) from the date of this Control Order.

SCHEDULE 1

Specified Persons

Any person in NSW including all veterinary practitioners.

SCHEDULE 2

Specified Measures

1. Any person in NSW, including any veterinary practitioner, is prohibited from purchasing a vaccine unless:
 - (a) they are permitted to do so pursuant to a permit issued by the APVMA; or
 - (b) they are authorised in writing to do so by the Chief Veterinary Officer or a Deputy Chief Veterinary Officer of the NSW Department of Primary Industries.
2. Any person in NSW, including any veterinary practitioner, is prohibited from supplying a vaccine unless they are permitted to do so pursuant to a permit issued by the APVMA.
3. Any person in NSW, including any veterinary practitioner, is prohibited from prescribing a vaccine.
4. Any person in NSW, including any veterinary practitioner, is prohibited from using a vaccine unless:
 - (a) they are a veterinary practitioner authorised under APVMA Permit Number PER 9620 and vaccination of a horse is necessary for the purposes of the imminent export of that horse; or
 - (b) they are a veterinary practitioner authorised in writing to do so by the Chief Veterinary Officer or a Deputy Chief Veterinary Officer of the NSW Department of Primary Industries; or
 - (c) they are a person authorised in writing to do so by the Chief Veterinary Officer or a Deputy Chief Veterinary Officer of the NSW Department of Primary Industries and are acting under the supervision of a veterinary practitioner authorised under sub-clause 4(b) of this order.

Definitions:

In this Control Order:

APVMA means the Australian Pesticides and Veterinary Medicines Authority

Control Area means the control area declared, pursuant to section 21 of the Act, by the Order made by the Chief Veterinary Officer, as the Minister's delegate under section 67 of the Act, on 25 August 2007.

prescribe means the giving by a veterinary practitioner of a written instruction to a person for the supply to that person of vaccine by any other person.

Restricted Area means any restricted area that has been declared, or may be declared, pursuant to section 15 of the Act, in relation to the exotic disease Equine influenza.

vaccine means a vaccine for the prevention of Equine influenza in horses, mules, donkeys and other animals in the Equidae family, whether or not registered by or available under permit from the Australian Pesticides and Veterinary Medicines Authority.

veterinary practitioner has the same meaning as defined in the Veterinary Practice Act 2003 and any equivalent law in any other State or Territory in Australia.

Dated: 22 October 2007.

SALLY ANN SPENCE,
Inspector

IAN JAMES ROTH,
Deputy Chief Veterinary Officer
with the powers the Minister has delegated to me
under section 67 of the Exotic Diseases of Animals Act 1991

EXOTIC DISEASES OF ANIMALS ACT 1991

EQUINE INFLUENZA

ORDER – Section 15

Declaration of Restricted Area – Restricted Area (Red)

I, IAN JAMES ROTH, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me under section 67 of the Exotic Diseases of Animals Act 1991 ('the Act') and pursuant to section 15 of the Act and being of the opinion that the area specified in Schedule 1 may be or become infected with the exotic disease Equine influenza hereby:

1. revoke the order declared under section 15 of the Act titled "Declaration of Restricted Area – Restricted Area (Red)" dated 19 October 2007 and any order revived as a result of this revocation;
2. declare the area specified in Schedule 1 to be a restricted area known as "Restricted Area (Red)"; and
3. declare that the classes of animals, animal products, fodder, fittings or vehicles to which this order applies are those described in Schedule 2.

SCHEDULE 1

Restricted Area (Red)

The premises in the areas as described and shown in the map below:

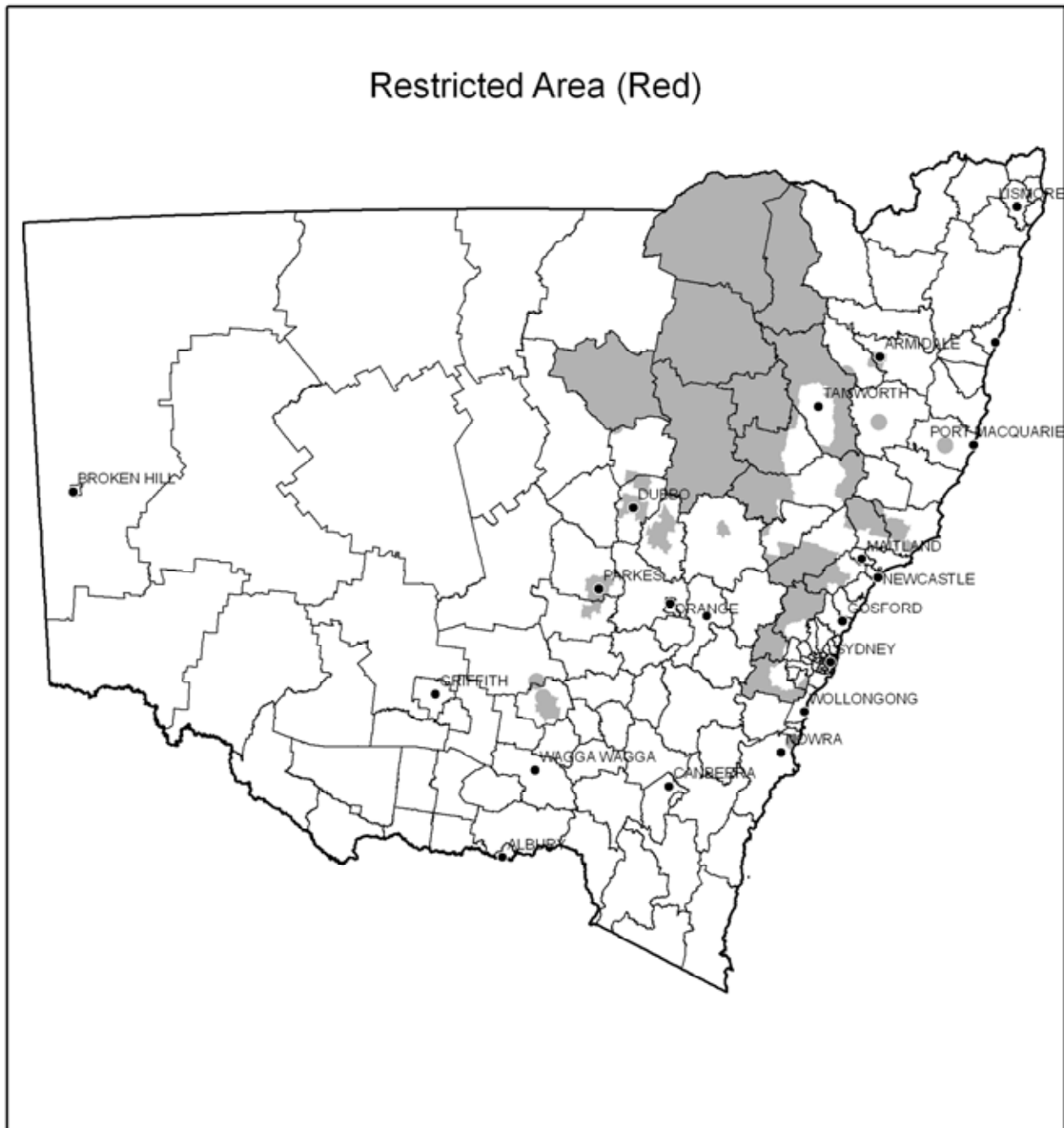
1. within a 10km radius of the premises known as 'Lexington', Coonamble in the State of New South Wales;
2. within a 10km radius of the premises known as 'St Aubyns Station', Nowendoc Road, Brackendale near Walcha in the State of New South Wales;
3. within a 10km radius of the premises known as 'Walibree' 4302 Oxley Highway, Wauchope in the State of New South Wales;
4. within a 10 km radius of the property known as 'Brinalla' Quambone Road, Gulargambone in the State of New South Wales;
5. within a 10km radius of the premises known as "Rimbanda", 151 Rimbanda Road, Kentucky 2354 in the State of New South Wales;
6. within a 10km radius of the premises being 1264 Green Valley Road, Bendemeer 2355 in the State of New South Wales;

7. within a 10km radius of the premises known as ‘Raven Hill’, A500F Princes Highway, Broughton Village, 2534 in the State of New South Wales;
8. within a 10km radius of the premises known as “Mandalay Park”, 130 Ada Road, Barmedman 2668 in the State of New South Wales;
9. within a 10km radius of the premises known as “Lillydale”, Schmidts Lane, Gidginbung 2666 in the State of New South Wales;
10. within the local government areas administered by the following councils, other than any Special Restricted Area (Purple):
 - Blue Mountains City Council
 - Campbelltown City Council
 - Cessnock City Council
 - Coonamble Shire Council
 - Dungog Shire Council
 - Gunnedah Shire Council
 - Gwydir Shire Council
 - Hawkesbury City Council
 - Liverpool Plains Shire Council
 - Moree Plains Shire Council
 - Muswellbrook Shire Council
 - Narrabri Shire Council
 - Port Stephens Council
 - Singleton Shire Council
 - Tamworth Regional Council
 - Upper Hunter Shire Council
 - Warrumbungle Shire Council
 - Wollondilly Shire Council
11. The Parishes of Forbes, Dowling and Troubalgie (County of Ashburnham) and the Parish of Wongajong (County of Forbes);
12. The Parishes of Drillwarrina, Emu and Eumungerie (County of Ewenmar) and the Parishes of Bickanbeenie, Caledonia and Donelly (County of Lincoln).
13. The Parishes of Beargamil, Brolgan, Currajong, Goobang, Goonumbla, Kamandra, Martin, Mugincoble and Parkes in the County of Ashburnham;
14. The Parishes of Galwadgere, Mumbil and Wellington (County of Wellington) located within the Wellington Council Local Government Area.
15. The Parishes of Beni, Coolbaggie, Dubbo, Murrumbidgee, Terramungamine and Warrie (County of Lincoln), the Parish of Dubbo (County of Gordon) and the Parishes of Burrabadine and Dungary (County of Narromine);
16. The Parishes of Curra, Gundy and Ponto (County of Gordon), the Parishes of Bald Hill, Bodangora, Micketymulga, Mitchell and Tenandra (County of Lincoln) and the Parish of Nanima (County of Bligh);
17. All of the Parish of Cooyal (County of Phillip); and
 - That part of the Parish of Moolarben (County of Phillip) east of Ulan Road, south of Moolarben Road then Mayberry Road, east along the common boundary of Lots 20 and 24 on DP 755442 and then west of the boundary of Munghorn Gap Nature Reserve until it meets the common boundary of Moolarben and Cooyal Parishes; and
 - That part of the Parish of Price (County of Phillip) south of Munghorn Gap Nature Reserve, thence south along the common boundary of lots 1 and 139 on DP 755447 for approximately 80 metres to the intersection of the single lane road adjoining the southern-most tip of Munghorn Gap NR and continuing along said road in a south-westerly direction to the intersection of Kains Flat Road and White Cedars Road and then west of Kains Flat Road; and
 - That part of the Parish of Botobolar (County of Phillip) west of the contiguous roads that continue south from Kains Flat Road to Botobolar Road and that part north of Botobolar Road; and
 - All of the Parish of Bayly (County of Phillip) except that part west of Hayes Gap Road and south of Wollar Road;
18. The Parishes of Bundawarrah, Combaning, Temora, Thanowring, Trigalong and Walladilly (County of Bland) and the Parish of Northcote (County of Bourke).
19. Parts of the local government areas administered by Armidale Dumaresq Council and Uralla Shire Council being the areas described as follows:
 - The Parishes of Butler, Armidale, Saumarez and Dangarsleigh (County of Sandon); and

That part of the Parish of Gara (County of Sandon) west of a line commencing at the point where the Burying Ground Creek crosses the common boundary of the Parishes of Donald and Gara (County of Sandon), thence generally southerly along Burying Ground Creek to the point where it joins Commissioners Waters, thence in a generally westerly direction along Commissioners Waters to its junction with the common boundary of the Parishes of Gara and Tiverton (County of Sandon); and

That part of the Parish of Arding (County of Sandon) east of a line commencing at point where Hawthorne Drive crosses the joint boundary of the Parishes of Arding and Uralla (County of Sandon) thence in a generally northerly direction along Hawthorne Drive to its junction with the Arding Road, thence in a generally westerly direction following the Arding Road to its junction with the Mount Butler Road, thence in a generally northerly direction following the Mount Butler Road to the joint boundary with the Parishes of Arding and Elton (County of Sandon);

20. That part of the area administered by the Great Lakes Shire Council south and west of a line commencing at the point where the boundary of the Myalls Lake National Park (the Park) meets the Pacific Ocean, about four kilometres north of the township of Hawks Nest, thence in a generally westerly direction along the southern boundary of the Park to the point at which it meets Pipers Creek, thence downstream along the Park boundary (the southern bank of Pipers Creek) to a point opposite the south-western tip of Nickey Island, thence following the westernmost boundary of the Park as shown on the Port Stephens 9332-4S Second Edition 1:25 000 map published by Land and Property Information NSW, 2001 (which boundary cuts across Pipers Creek and the Myall River and runs south-west of Nickey Island and Kangaroo Island) to the point at which it meets the common boundary between the Parishes of Fens and Viney Creek (County of Gloucester), thence along the western boundary of the Park, initially in a westerly direction, to the point at which it meets the common boundary of the Parishes of Viney Creek and Nerong (County of Gloucester), thence westerly along this common boundary cutting across the Pacific Highway to the point at which this common boundary meets the boundary of the Park, thence initially generally westerly and then northerly in a generally clockwise direction along the boundary of the Park to the point where Emu Creek Road crosses the boundary of the Park, thence northerly along Emu Creek Road to the intersection of Booral Road, thence easterly along Booral Road to the intersection of Lowreys Road, thence north-westerly along Lowreys Road to the intersection with Old Inn Road, thence northerly to the intersection of Wild Cattle Creek, thence north-westerly along Wild Cattle Creek approximately 20 metres to the intersection of Apple Tree Creek, thence north-westerly along Apple Tree Creek to the point at which Apple Tree Creek crosses the boundary of the Park, thence generally easterly and northerly and clockwise along the boundary of the Park to the point at which the boundary of the Park meets Johnsons Creek Road, thence cutting directly across Johnsons Creek Road to the boundary of the Ghin-do-ee National Park, thence initially in a generally westerly and then northerly direction clockwise around the boundary of the Ghin-do-ee National Park to the point at which it meets the boundary of the Parish of Gorton (County of Gloucester) thence in a generally northerly direction along the eastern boundary of the Parish of Gorton and then continuing as the eastern boundary of the Parish of Terreell (County of Gloucester) to the point at which this Parish boundary meets the common boundary of the areas administered by the Great Lakes Shire Council and the Gloucester Shire Council; and
21. That part of the area administered by the Gloucester Shire Council comprising the Parish of Berrico (County of Gloucester) and that part of the Parish of Barrington (County of Gloucester) occupied by the Lots 5, 8, 15, 16, 30 DP 753142, Lots 1, 2, 3 DP 860542 then south of a line commencing at the western boundary of Lot 30, DP 753142 and the ridge line, then following that ridge line generally north westerly to the south east corner of Lot 66 DP 753142, then generally northerly along the eastern edge of Lots 66 and 67 DP 753142, then generally westerly along the northern edges of Lots 67, 68 and 97 DP 753142, then generally southerly along the western edge of Lot 97 DP 753142 to Lot 72 DP 753142 then anti-clockwise around Lot 72 DP 753142 to Lot 71 DP 753142 then generally southerly along the western edges of Lot 71, 86, 29 DP 753142 to the boundary between the Parishes of Barrington and Wawgan (County of Gloucester) and that part of the Parish of Wawgan (County of Gloucester) occupied by the Lots 26, 27, 35, 61 DP 753214.



SCHEDULE 2

Class of animals

All horses.

Class of animal products

All animal products from horses.

Class of fodder and fittings

All fodder and fittings from, or used in connection with, horses.

Class of vehicles

All vehicles that, since 1 August 2007, have been used in connection with any of the classes of animals, animal products, fodder or fittings described in this Schedule.

Interpretation:

In this Order, if any part of any premises is located partly within:

1. the Restricted Area (Amber) and partly within the Restricted Area (Red) the whole of those premises is taken to be located in the Restricted Area (Red);
2. the Restricted Area (Red) and partly within the Special Restricted Area (Hatched) the whole of those premises is taken to be located in the Special Restricted Area (Hatched);
3. the Restricted Area (Red) and partly within the Special Restricted Area (Purple) the whole of those premises is taken to be located in the Special Restricted Area (Purple).

Definitions:

In this Order:

horses means horses, mules, donkeys and other animals in the Equidae family.

premises includes a parcel of land, or several parcels of land which:

- (i) are contiguous with one another or are separated from one another only by a road, river, creek or other watercourse, and
- (ii) constitute or are worked as a single property,

irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

Restricted Area (Amber) means any restricted area that has been declared, or may be declared, pursuant to section 15 of the Act in relation to the exotic disease Equine influenza and known as a Restricted Area (Amber).

Restricted Area (Red) means a restricted area which has been declared or may be declared pursuant to section 15 of the Act, in relation to the exotic disease Equine influenza and known as a Restricted Area (Red).

Special Restricted Area (Hatched) means any restricted area that has been declared, or may be declared, pursuant to section 15 of the Act in relation to the exotic disease Equine influenza. and known as a Special Restricted Area (Hatched).

Special Restricted Area (Purple) means any restricted area that is known as a Special Restricted Area (Purple) that has been declared, or may be declared, pursuant to section 15 of the Act, in relation to the exotic disease Equine influenza.

Dated: 22 October 2007.

IAN JAMES ROTH,
Deputy Chief Veterinary Officer

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