



Government Gazette

of the State of

New South Wales

**Number 100–Mining and Primary Industries
Friday, 11 March 2022**

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

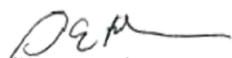
Biosecurity (Japanese encephalitis) Control Order 2022

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 4th day of March 2022



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

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Japanese encephalitis) Control Order 2022*.

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:

abattoir means premises used for or in connection with the slaughtering of pigs for human consumption, and includes any building, structure or holding yard used in connection with the slaughtering, handling, drafting or keeping of any such pigs at any such premises.

clinical signs of Japanese encephalitis includes

- (a) pregnant sows or gilts presenting with aborted, mummified or malformed foetuses, stillborn or weak piglets born at term,
- (b) infertility in boars, or
- (c) neurological signs such as tremors and convulsions in pigs up to 6 months of age.

Department means the Department of Regional NSW.

fit for the intended journey has the same meaning as in the Land Transport of Livestock Standards.

grow-out facility means a premises that receives and manages pigs after weaning to grow them to sale weight.

infected premises means a pig production area that has a confirmed case of Japanese encephalitis.

Land Transport of Livestock Standards means the *Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013 No 2* published on the NSW Legislation website on 27 September 2013.

move includes causing or permitting to move.

person in charge, in relation to a premises, including a premises that is an infected premises, suspect premises, receiving facility, or semen collection centre, includes:

- (a) the owner or operator of the premises,
- (b) a person with control over the management of the pigs or pig semen at the relevant time.

pig means a live pig and does not include a pig carcass.

pig production means the breeding, raising or keeping of a pig including for:

- (a) food production, human use or human consumption,
- (b) genetic material production, or
- (c) as a pet or hobby.

pig production area means an area of land where pig production is carried out including:

- (a) sheds and paddocks used for pig production in both indoor and outdoor farming systems, and
- (b) areas used for feed storage and handling and the areas immediately surrounding such sheds and paddocks, including loading areas.

receiving facility means an abattoir, grow-out facility or any other pig production area that receives a pig from an infected premises or suspect premises.

semen collection centre means a premises which houses boars for the purposes of collecting semen for artificial insemination.

suspect premises means a pig production area with clinical signs of Japanese encephalitis and in relation to which has submitted samples to a laboratory for confirmation of the presence of Japanese encephalitis.

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.

Note. Pursuant to section 11 of the *Interpretation Act 1987* words or expressions used in this Control Order have the same meaning as in the *Biosecurity Act 2015*.

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 Japanese encephalitis (the **biosecurity matter**) has the potential to have an adverse effect on the economy, the environment and the community (the **biosecurity impact**).
- (b) On 26 February 2022, Japanese encephalitis was confirmed in pigs from a number of commercial pork enterprises in NSW. Japanese encephalitis is an acute mosquito-borne viral disease most commonly seen in pigs, horses and humans.

- (c) Control measures are required to prevent, minimise or manage the spread of Japanese encephalitis virus from infected premises to other areas in New South Wales.

5 Control zone

The control zone in which control measures are required to be implemented under this Control Order is the whole of New South Wales.

6 Person to whom control measures apply

The control measures in:

- (a) clause 7 of this Control Order applies to any person in charge of an infected premises or a suspect premises,
- (b) clause 8 of this Control Order applies to any person in charge of a receiving facility,
- (c) clause 9 of this Control Order applies to any person in charge of semen collection centre,
- (d) clause 10 of this Control Order applies to any person in charge of an interstate infected premises or interstate suspect premises.

Note. It is recommended that any person in contact or working with a pig from an infected premises wear appropriate personal protective equipment, in particular long pants, long-sleeved shirt and insect repellent to limit mosquito bites. Further information can be found on the NSW Health website and in the "Mosquitoes are a Health Hazard" communicable diseases factsheet <https://www.health.nsw.gov.au/Infectious/factsheets/Pages/mosquito.aspx>

Part 2 Control measures for movement of pigs

7 Control measures – movement of pigs from infected premises

A person in charge of an infected premises or suspect premises, other than a premises that is a semen collection centre, must not move a pig from that premises unless the following requirements are complied with:

- (a) the pig is being moved to a receiving facility,
- (b) the pig is fit for the intended journey and shows no clinical signs of Japanese encephalitis immediately prior to movement,
- (c) as far as reasonably practicable, the pig is moved from the premises to the receiving facility in daylight hours,
- (d) the agreement or other arrangement entered into for the transport of the pig requires the person driving the vehicle to:

- (i) travel directly to the receiving facility,
- (ii) only stop at intervals as required by the Land Transport of Livestock Standards, or as otherwise required by law,

Note. Part 2 of the Land Transport of Livestock Standards sets out the general standards of the land transport of livestock, and clauses 73-75 set out additional specific requirements for the land transport of pigs.

- (iii) where reasonably practicable, only stop at locations that are away from known areas of human habitation and waterways, and
- (iv) not load pigs from any other premises onto the vehicle before the pigs are unloaded at the receiving facility,

- (e) the pig is only loaded on to a vehicle that is clean with no signs of visible organic matter,
Note. it is expected that all vehicles used to transport pigs will be cleaned after pigs are unloaded using high volume washing to remove all visible organic matter from the vehicle.
- (f) in the case of a movement to an abattoir,
 - (i) the pig has been on the premises for more than 42 days before it is moved to the abattoir, and
 - (ii) the abattoir is advised that the pig must be slaughtered within 24 hours of leaving the premises,
- (g) before moving a pig from the premises, a Record of Movement is completed and submitted to the Department. The Record of Movement is available on the Department's website and must be submitted online via the website,
- (h) the receiving facility is advised, prior to the movement of the pig, that the pig has been moved from an infected premises or suspect premises,
- (i) mosquito control is carried out on the premises.

Note. it is expected that all infected premises and suspect premises have a biosecurity management plan in place that includes insect control measures to address the risk of Japanese encephalitis.

Notes.

1. The requirements of the Biosecurity (National Livestock Identification System) Regulation 2017 apply to the movement of pigs. In particular, a pig must be properly identified and all NLIS movement documents must be provided to the transporter.
2. Where a pig is being moved to another State or Territory within Australia, that State or Territory may require different and additional measures to be complied with before the pig is authorised to enter that State or Territory.

8 Control measures – insect control at receiving facilities

A person in charge of a receiving facility must ensure that mosquito control is carried out on the premises.

Note. It is expected that all receiving facilities have a biosecurity management plan in place that includes insect control measures to address the risk of Japanese encephalitis.

Part 3 Control measures for movement of semen

9 Control measures – movement of pig semen from infected or suspect premises

A person in charge of an infected premises or suspect premises that is a semen collection centre must not move pig semen from the premises unless the following requirements are met:

- (a) the donor boar was quarantined for at least 42 days before entering the semen collection centre,
- (b) the donor boar shows no clinical signs of Japanese encephalitis immediately prior to collection of semen and must continue to show no clinical signs of Japanese encephalitis until the semen is moved to the premises receiving the semen,
- (c) a morphological evaluation of the pig semen is completed immediately following collection and the results show a minimum 60% normal morphology and greater than or equal to 60% progressive motility,

- (d) the premises receiving the pig semen is advised that the pig semen has been moved from an infected premises,
- (e) mosquito control is carried out at the semen collection centre.

Note. it is expected that all semen collection centres have a biosecurity management plan in place that includes insect control measures to address the risk of Japanese encephalitis.

Note. Where pig semen is being moved to another State or Territory within Australia, that State or Territory may require different and additional measures to be complied with before the pig semen is authorised to enter that State or Territory.

Part 4 Control measures for movement of pigs into New South Wales

10 Control measures – movement into New South Wales

A person in charge of an interstate infected premises or interstate suspect premises, other than a semen collection centre, must not move a pig from that premises into New South Wales unless the person in charge complies with the following requirements:

- (a) the pig is being moved to a receiving facility, and
- (b) before moving a pig into New South Wales, a Record of Movement is completed and submitted to the Department. The Record of Movement is available on the Department's website and must be submitted online via the website.

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-2022-43)

No. 6446, LATIN RESOURCES LIMITED (ACN 131405144), area of 15 units, for Group 1, dated 2 March 2022. (Wagga Wagga Mining Division).

(APP-2022-41)

No. 6447, CARBOZORB PTY LTD (ACN 082 729 557), area of 132 units, for Group 2, dated 2 March 2022. (Cobar Mining Division).

(APP-2022-42)

No. 6448, DOUBLE EAGLE RESOURCES PTY LTD (ACN 657511683), area of 19 units, for Group 1, dated 7 March 2022. (Orange Mining Division).

(APP-2022-45)

No. 6449, KOOKABURRA GOLD PTY LTD (ACN 643057854), area of 84 units, for Group 1, dated 8 March 2022. (Sydney Mining Division).

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(TMS-APP27)

No. 5918, now Exploration Licence No. 9364, METROPOLITAN COLLIERIES PTY. LTD. (ACN 003 135 635), County of Cumberland, Map Sheet (9029), area of 2042 hectares, for Group 9, dated 24 February 2022, for a term until 24 February 2028.

(TMS)

No. 5922, now Exploration Licence No. 9363, ULAN COAL MINES PTY LIMITED (ACN 000 189 248), County of Bligh, Map Sheet (8833), area of 582.6 hectares, for Group 9, dated 24 February 2022, for a term until 24 February 2028.

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

(REN-2022-51)

Exploration Licence No. 8958, MINING AND ENERGY GROUP PTY LTD (ACN 149790161), area of 98 units. Application for renewal received 2 March 2022.

(REN-2022-49)

Exploration Licence No. 8983, POLYMET RESOURCES PTY LTD (ACN 637 608 961), area of 4 units. Application for renewal received 2 March 2022.

(REN-2022-40)

Mining Lease No. 1504 (Act 1992), PEREGRINE MINERAL SANDS PTY LTD (ACN 009 307 591), IMPERIAL MINING (AUST) PTY LTD (ACN 062 193 266) AND PROBO MINING PTY LTD (ACN 079 938 819), area of 3382 hectares. Application for renewal received 3 March 2022.

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(REN-2021-8)

Exploration Licence No. 5693, ISOKIND PTY LIMITED (ACN 081 732 498), County of Robinson, Map Sheet (8035), area of 111 units, for a further term until 7 February 2027. Renewal effective on and from 2 March 2022.

(REN-2021-136)

Exploration Licence No. 5983, ISOKIND PTY LIMITED (ACN 081 732 498), County of Robinson, Map Sheet (8035), area of 11 units, for a further term until 30 August 2027. Renewal effective on and from 2 March 2022.

(REN-2021-163)

Exploration Licence No. 6907, ACTWAY PTY LIMITED (ACN 090 165 174), County of Blaxland, Map Sheet (8032), area of 11 units, for a further term until 11 October 2027. Renewal effective on and from 2 March 2022.

(REN-2021-193)

Mining Lease No. 86 (Act 1973), BROKEN HILL COBALT PROJECT PTY LTD (ACN 638 134 095), Map Sheet (7133), area of 201.27 hectares, for a further term until 5 November 2043. Renewal effective on and from 6 November 2022.

REFUSAL OF APPLICATION FOR RENEWAL

Notice is given that the application for renewal in respect of the following authority has been refused:

(TMS-REN54)

Exploration Licence No. 7041, ICARUS MINES PTY LTD (ACN 140 149 515), County of Flinders, Map Sheet (8234, 8334), area of 7 units. The authority ceased to have effect on 3 March 2022.

APPLICATIONS TO TRANSFER RECEIVED

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

(TRF-2022-11)

PARADIGM RESOURCES PTY LTD (ACN 602694155) has applied for approval to transfer Exploration Licence No. 8910 to INDIGENOUS ENERGY GROUP PTY LTD (ACN 167 002 404). Application received 2 March 2022.

TRANSFERS

(TRF-2021-44)

Exploration Licence No. 8414, formerly held by PEEL MINING LIMITED (ACN 119 343 734) has been transferred to HAVERFORD HOLDINGS PTY LTD (ACN 142660553). The transfer was registered on 1 March 2022.

(TRF-2021-44)

Exploration Licence No. 8451, formerly held by PEEL MINING LIMITED (ACN 119 343 734) has been transferred to HAVERFORD HOLDINGS PTY LTD (ACN 142660553). The transfer was registered on 1 March 2022.

(TRF-2021-46)

Exploration Licence No. 8525, formerly held by GILMORE METALS PTY LTD (ACN 617943227) has been transferred to C29 METALS LIMITED (ACN 645218453). The transfer was registered on 4 March 2022.

ERRATUM

Erratum notice for Government Gazette No 86, published 4 March 2022: Under the heading 'Exploration Licence Application' it was listed that the application for renewal had been received for Exploration Licence No. 8526, Endeavour Coal Pty Limited (ACN 099 830 476). The application received was in fact for Exploration Licence No. 8526, Tuena Resources Pty Ltd (ACN 614 119 103).
