

**STOCK DISEASES ACT 1923****Notification No. 1809-BJD****Declaration of Protected Area and Protected (Control) Areas,  
as regards Johne's disease in cattle (commonly known as bovine Johne's disease)**

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

- A. pursuant to sections 3(2)(a) and 11A of the *Stock Diseases Act 1923* ("the Act"), revoke Notification No. 1789-BJD published in *Government Gazette* No. 142 of 3 September 2004 at pages 7403-7405 and any notification revived as a result of that revocation; and
- B. pursuant to section 11A of the Act:
1. declare the lands described in the Schedule below to be Protected (Control) Areas, and the remaining lands of New South Wales to be a Protected Area, as regards Johne's disease in cattle; and
  2. prohibit the bringing into the Protected Area of any cattle from any part of a Protected (Control) Area, unless:
    - (a) the cattle are transported in a vehicle directly or via an approved facility to:
      - (i) an abattoir, where the cattle are slaughtered, or
      - (ii) a slaughter-only sale, or
      - (iii) an approved feedlot, or
      - (iv) the same or another part of the Protected (Control) Area;
    - (b) the cattle are steers and are less than 2 years of age;
    - (c) the cattle:
      - (i) originate from a dairy holding, and
      - (ii) are transported in a vehicle directly, or via an approved facility, to a dairy holding; and
      - (iii) are accompanied by a Completed Dairy BJD Assurance Score Declaration Form which was completed within the previous 14 days and is given to the person to whom they are delivered; or
    - (d) the cattle:
      - (i) originate from a monitored negative herd, and
      - (ii) have not subsequently lost their status of monitored negative, and
      - (iii) are transported in a vehicle directly or via an approved facility, to the Protected Area, and
      - (iv) are accompanied by a completed Declaration Form, (cattle from a dairy holding must be accompanied by a Completed Dairy BJD Assurance Score Declaration Form), bearing details of their status of monitored negative, which is given to the person to whom they are delivered; or

- (e) the cattle:
  - (i) originate from a non-assessed herd that has been subjected to an approved test that has produced negative results, and
  - (ii) are transported in a vehicle directly, or via an approved facility, to the Protected Area, and
  - (iii) are accompanied by a completed Declaration Form, (cattle from a dairy holding must be accompanied by a Completed Dairy BJD Assurance Score Declaration Form), indicating those results, which is given to the person to whom they are delivered; or
  
- (f) the cattle:
  - (i) originate from a herd in one part of the Protected Area, and
  - (ii) are transported through a Protected (Control) Area in a vehicle directly into the same or another part of the Protected Area; or
  
- (g) the cattle are from a non-assessed or monitored negative herd in a Protected Area and are transported in a vehicle directly to and from an approved facility in a Protected (Control) Area; or
  
- (h) the cattle are from a non-assessed or monitored negative herd in a Protected (Control) Area and are transported in a vehicle directly to and from an approved facility in a Protected Area; or
  
- (i) the cattle:
  - (i) are beef breed cattle and satisfy the Beef Only Criteria, and
  - (ii) are transported from the property on which the cattle were last kept, in a vehicle directly, or via an approved facility, to the Protected Area, and
  - (iii) are accompanied by a completed Declaration Form, indicating they satisfy the Beef Only Criteria, which is given to the person to whom they are delivered; or
  
- (j) the cattle are moved or sold in accordance with a written permit issued by an inspector under section 7(6) of the Act in circumstances that are of a kind approved from time to time by the Deputy Director-General, Agriculture, Biosecurity and Mine Safety, the Director, Animal and Plant Biosecurity, or the Chief Veterinary Officer; or
  
- (k) the cattle are moved or sold in accordance with an order made by an inspector under section 8 of the Act.

## Definitions

In this Notification:

**approved facility** means a facility that is approved from time to time by a District Veterinarian.

**approved feedlot** means a feedlot that is authorised in writing by the Director-General as a feedlot to which infected stock may be sold.

**approved test** means a test that is approved from time to time by the Chief Veterinary Officer or, in his or her absence, a Deputy Chief Veterinary Officer appointed under the *Exotic Diseases of Animals Act 1991*.

**Beef Only Criteria** has the meaning given to that term in the “National Animal Health Statement for Johne’s Disease Status of Beef Cattle” as published from time to time by Animal Health Australia, 26-28 Napier Close, Deakin ACT 2600.

**Chief Veterinary Officer** means the Chief Veterinary Officer appointed pursuant to section 66(1) of the *Exotic Diseases of Animals Act 1991*.

**Completed Dairy BJD Assurance Score Declaration Form** means a form approved for the declaration of Johne’s disease status by the Director, Animal and Plant Biosecurity, which has been completed by the person with day to day responsibility for managing the cattle in question. The details on a completed declaration form must include:

- (a) the property identification code (PIC);
- (b) Part A, one box ticked;
- (c) Part C, ‘Total score’ section completed;
- (d) Declaration section, full name, address, date and signature completed.

**dairy holding** means:

- (a) a holding, or part of a holding, on which a milking herd is grazed or kept, or
- (b) a holding, or part of a holding, which has the same Property Identification Code (PIC) and/or is under the same ownership or control as a holding described in paragraph (a) above, and which is used to graze or keep cattle that:
  - (i) are part of the milking herd, or
  - (ii) are the progeny of the milking herd, or
  - (iii) are cattle (including beef breed cattle and dairy/beef cross breed cattle that are grazed or kept for beef production) that have grazed or have been kept on the same land as the milking herd; or
- (c) a holding, or part of a holding, on which cattle which will be used in a milking herd are raised for the owner of that milking herd, or
- (d) a holding, or part of a holding, on which dairy breed cattle are bred and/or raised for sale or supply to a milking herd.

**Declaration Form** means a Declaration form for Johne’s disease status as approved from time to time by the Director, Animal and Plant Biosecurity.

**directly** means without off-loading cattle from a vehicle en route.

**Director, Animal and Plant Biosecurity** means the Director, Animal and Plant Biosecurity of the NSW Department of Primary Industries.

**Director-General** means the Director-General of the NSW Department of Primary Industries.

*Deputy Director-General, Agriculture, Biosecurity and Mine Safety* means the Deputy Director-General, Agriculture, Biosecurity and Mine Safety of the NSW Department of Primary Industries.

*herd* means a group of animals maintained as a discrete unit.

*holding* means:

- (a) a parcel of land, or
- (b) 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.

*inspector* means a person appointed as an inspector under section 6 of the Act or otherwise authorised by section 6 to perform the duties and/or exercise the powers of an inspector.

*Johne's disease* means the form of Johne's disease (*Mycobacterium paratuberculosis*) commonly known as bovine Johne's disease.

*milking herd* means a herd of cattle that are kept for the production of commercial dairy products.

*monitored negative* has the meaning given to that term in the Australian Johne's Disease Market Assurance Program for Cattle published from time to time by Animal Health Australia, 26-28 Napier Close, Deakin ACT 2600.

*non-assessed* in relation to a herd, means a herd that is not infected or suspected of being infected with Johne's disease, that is not in quarantine on account of Johne's disease, and that does not have a monitored negative or other tested negative status in respect of Johne's disease.

*Protected Area* means the area of New South Wales which does not form part of a Protected (Control) Area.

*Protected (Control) Area* means a Protected (Control) Area described in the Schedule below.

*slaughter-only sale* means a sale approved by the Director-General for infected stock.

## SCHEDULE

### Protected (Control) Areas

The whole of the lands contained in the Casino and Tweed-Lismore Rural Lands Protection Districts.

That portion of the lands contained in the South Coast Rural Lands Protection District south of the southern boundary of the Kings Highway between Braidwood and Batemans Bay, then west of the western boundary of the Princes Highway, then south of the northern shoreline of the Clyde River and Batemans Bay.

That portion of the lands contained in the Murray Rural Lands Protection District and the Riverina Rural Lands Protection District bounded by the roads and property description lines commencing at Corowa at the point where Bridge Road, Corowa crosses the Murray River, thence along Bridge Road, Sangar Street, Redlands Road to

the Riverina Highway, thence along the Old Corowa Road to its intersection with the Jerilderie-Oaklands Road, thence along that road to the northern corner of Lot 1 in DP733544, thence along the north-western, and western boundaries of that lot and of Lot 3 in DP733544 to the north-eastern boundary of Lot 203 in DP756426, thence along the northern boundaries of that lot, of Lot 213 in DP756426, of the reserve known as the Jerilderie Rifle Range, of Lot 226 in DP820194 and of Lot 111 in DP756426 to the north-western corner of that lot, thence directly west to a point of intersection with the eastern boundary of the Newell Highway, thence south along the Newell Highway approximately 3 kilometres to its junction with Leahy Lane, thence west along Leahy Lane to the south-eastern corner of Lot 106 in DP756426, thence along the eastern boundaries of Lots 106, 107, 180 and 179 in DP756426 and of Lots 431 and 432 in DP1013379 to where the eastern boundary of Lot 432 meets the Jerilderie-Conargo Road, thence west along that road to where it intersects with the Deniliquin Road at Conargo, thence along Conargo-Deniliquin Road to where that road crosses the Edward River at Deniliquin, thence along the Deniliquin Road to the Edward River at Deniliquin, thence along the Edward River to its junction with the Niemur River, thence along the Niemur River to its junction with the Moulamein-Barham Road, thence along the Moulamein-Barham Road to Moulamein Road at Barham, thence along Moulamein Road, Barham to where it meets Noorong Street, thence along Noorong Street to its intersection with Murray Street, thence along Murray Street to its intersection with Thule Street, thence along Thule Street to where Thule Street crosses the Murray River at Barham, and thence along the Murray River to the point where Bridge Road, Corowa crosses the Murray River. (The roads and their road related areas do not form part of the Protected (Control) Area.)

**Note:**

- It is an offence under section 20H(1)(a) of the Act to contravene a provision of this Notification. The maximum penalty for such an offence is \$11,000.
- A Protected (Control) Area is an area of New South Wales with a moderate prevalence of a disease (section 11A(1A) of the Act). This is different from a Protected Area, where there is a lower prevalence of a disease (section 11A(1B) of the Act).
- A person who receives a completed Declaration form is advised to retain it as evidence of compliance with this Notification.
- A map of the Protected Area and the Protected (Control) Areas as regards Johne's disease in cattle is published on the NSW Department of Primary Industries internet web site at <http://www.dpi.nsw.gov.au/agriculture/livestock/health/specific/cattle/bjd/zoning/map-bjd-australia>
- 1809-BJD is the NSW Department of Primary Industries reference.
- For further information, contact the New South Wales Department of Agriculture on (02) 6391 3630.

This Notification commences on 31 March 2008.

Signed and sealed at Sydney this 19th day of March 2008.

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