

pest means the animal declared in clause 6 to be a pest on the controlled land.

pest control order has the same meaning as in Part 10 of the Act.

the Act means the *Local Land Services Act 2013*.

wild rabbit means any animal of the species *Oryctolagus cuniculus*: (a) that is wild or has become wild, or (b) has an appearance which is consistent with the appearance of the wild European type of rabbit.

Note: *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

4 Revocation of Rural Lands Protection (Wild Rabbits) Pest Control Order 2011 under the Rural Lands Protection Act 1998.

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Wild Rabbits) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011 at page 6197 is revoked, as is any pest control order revived as a result of this revocation.

5 Controlled land

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

6 Declaration of wild rabbit to be a pest

Pursuant to section 130 (1) (b) of the Act, the wild rabbit, being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

7 Obligations and powers conferred in relation to the pest on controlled land

Pursuant to section 130 (1) (c) of the Act and the sections referred to in this clause, the following obligations and powers are imposed or conferred in relation to the pest on the controlled land:

- (a) pursuant to section 130 (2) (a) of the Act, a general destruction obligation is imposed requiring the occupier of controlled land to eradicate the pest by any lawful method;
- (b) pursuant to section 130 (2) (d) of the Act, Local Land Services is empowered to serve an individual eradication order in accordance with Part 10 of the Act, on any occupier or owner (other than a public authority) of controlled land requiring the occupier or owner to eradicate the pest by use of a method specified by Local Land Services in the individual eradication order;
- (c) pursuant to section 130 (2) (g) of the Act, Local Land Services is empowered to give approval (whether or not subject to any condition) for any person or class of persons to keep the pest in captivity on the controlled land.

8 Method of eradication involving application of a substance from the air

Pursuant to section 130 (3) of the Act, the method of eradication that may be used in relation to the pest on controlled land that involves the application of a substance from the air is specified to be the use of any substance approved for application by air under

Pesticides Act 1999 or the Agvet Code for the purpose of controlling the pest.

Note: This pest control order does not prevent any person from keeping rabbits that are not covered by the definition of “wild rabbit” above, subject to compliance with the *Local Government Act 1993*, the *Environmental Planning and Assessment Act 1979* and any other legal requirements.

LOCAL LAND SERVICES (RABBITS) PEST CONTROL ORDER 2016

under the

LOCAL LAND SERVICES ACT 2013

I, Niall Blair, MLC, Minister for Primary Industries, in pursuance of Part 10 of, and clause 19 of Schedule 6 to, the *Local Land Services Act 2013*, make the following pest control order in respect of Rabbits.

Dated this 11th day of July 2016

NIALL BLAIR, MLC
Minister for Primary Industries

LOCAL LAND SERVICES (RABBITS) PEST CONTROL ORDER 2016

under the

LOCAL LAND SERVICES ACT 2013

1 Name of pest control order

This pest control order is the *Local Land Services (Rabbits) Pest Control Order 2016*.

2 Commencement and duration

- (1) This pest control order commences on the date it is published in the *NSW Government Gazette*.
- (2) This pest control order has effect for a period of 5 years from the date of commencement.

3 Definitions

In this pest control order:

controlled land means the land to which this pest control order applies as described in clause 5.

pest means the animal declared in clause 6 to be a pest on the controlled land.

rabbit means any animal of the species *Oryctolagus cuniculus*.

pest control order has the same meaning as in Part 10 of the Act.

the Act means the *Local Land Services Act 2013*.

Note: *Local Land Services, occupier, owner, public authority* and *public land* all have the same meaning as in the Act.

4 Revocation of Rural Lands Protection (Rabbits) Pest Control Order 2011 under the Rural Lands Protection Act 1998.

Pursuant to section 140 (2) of the Act, *Rural Lands Protection (Rabbits) Pest Control Order 2011* published in *NSW Government Gazette* No 103 of 28 October 2011

at page 6194 is revoked, as is any pest control order revived as a result of this revocation.

5 Controlled land

This pest control order applies, pursuant to section 130 (1) (a) of the Act, to all land in New South Wales.

6 Declaration of Rabbit to be a pest

Pursuant to section 130 (1) (b) of the Act, the Rabbit, being a former pest within the meaning of clause 19 of Schedule 6 to the Act, is declared to be a pest on the controlled land.

7 Prohibition of administration of substances

Pursuant to sections 130 (1) (c) and 130 (2) (i) of the Act the administration to any rabbit of fibroma virus vaccine or myxoma virus vaccine is prohibited, unless such administration is approved by the Minister.