

NSW Agriculture

PLANT DISEASES ACT 1924

Section 4 (1)

PROCLAMATION P125

Proclamation to regulate the importation, introduction and bringing into New South Wales of Red Imported Fire Ant, and things which might introduce that pest into New South Wales.

HER EXCELLENCY PROFESSOR MARIE BASHIR AC,
Governor

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1924:

- A. revoke Proclamation P121 published in *Government Gazette* No. 19 of 11 January 2002 at pages 95 and 96, and
- B. being of the opinion that it is necessary to do so in order to prevent the introduction into the State of the pest Red Imported Fire Ant, regulate the importation, introduction or bringing into New South Wales of:
- Any live Red Imported Fire Ant; and
 - The things specified in Schedule 1 and the other things specified in this proclamation.
1. Any live Red Imported Fire Ant may only be brought into the State with the approval of the Chief, Division of Plant Industries and in accordance with any conditions specified in that approval.
 2. Subject to 1., no thing of any nature or kind whatsoever may be brought into the State if there is on or in the thing any live Red Imported Fire Ant or any Red Imported Fire Ant nest material.
 3. Any thing with soil on or in the thing that has been in that part of the State of Queensland that is within 5 kilometres of a place where at the material time Red Imported Fire Ant was present, may be brought into the State if:
 - 3.1 The thing is accompanied by:
 - a Plant Health Certificate, or
 - a Plant Health Assurance Certificate
 certifying that one or other of the two Conditions for Entry set out below has been complied with, or
 - 3.2 At the time that a person brings the thing into New South Wales, the person knew that the thing had been for five or less days in that part of the State of Queensland that is within 5 kilometres of a place where at the material time Red Imported Fire Ant was present.
 4. A thing specified in Schedule 1, that has been in that part of the State of Queensland specified in Schedule 2, may be brought into the State if:
 - 4.1 the thing is accompanied by:
 - a Plant Health Certificate, or

- a Plant Health Assurance Certificate, certifying:
- that the thing has not been within that part of Queensland that is within 5 kilometres of a place where Red Imported Fire Ant has at any time been found, or
- that one or other of the two Conditions for Entry set out below has been complied with, or

- 4.2 at the time that a person brings the thing into New South Wales, the person knows that the thing had been for five or less days in that part of the State of Queensland specified in Schedule 2.

Conditions for entry

1. Treatment

- 1.2 The thing has been treated, stored and transported, in a manner approved by the Chief, Division of Plant Industries, so as to destroy all life stages of Red Imported Fire Ant and, after treatment, to guard against the risk of infestation; and
- 1.3 The Plant Health Certificate or the Plant Health Assurance Certificate, as appropriate, certifies the date and method of treatment and specifies the measures taken to guard against the risk of infestation after treatment.

2. Property freedom

- 2.2 Either
 - 2.2.1 The property from which the thing was consigned, dispatched or sent in Queensland has been inspected and accredited as being free of Red Imported Fire Ant by an authorised officer of the Queensland Department of Primary Industries, in a manner approved by the Chief, Division of Plant Industries,

or

- 2.2.2 The property from which the thing was consigned, dispatched or sent in Queensland has been inspected within the 28 days preceding the issue of the Plant Health Certificate or the Plant Health Assurance Certificate by an authorised officer of the Queensland Department of Primary Industries and found to be free of Red Imported Fire Ants;

and

- 2.3 The property from which the thing was consigned, dispatched or sent in Queensland (the **first property**) has not within the 28 days preceding the issue of the Plant Health Certificate or the Plant Health Assurance Certificate received any thing referred to in clause 3 or Schedule 1 from any property (the **second property**) that is within 5 kilometres of a place where Red Imported Fire Ant has been found, unless:

2.3.1 prior to receipt of the thing at the first property there was issued a Plant Health Certificate or a Plant Health Assurance Certificate certifying that

- condition 1. above had been satisfied in respect of the thing;

or

- condition 2.2 had been satisfied in respect of the second property, or

2.3.2 within five days after receipt of the thing on the first property the thing was inspected in a manner approved by the Chief, Division of Plant Industries by an officer of the Queensland Department of Primary Industries and found to be free of Red Imported Fire Ants.

Definitions

In this Proclamation the following words and phrases have the meaning indicated.

Chief, Division of Plant Industries means the Chief, Division of Plant Industries of the New South Wales Department of Agriculture.

containerised plants means any plant in a container in potting media or soil, or with potting media or soil attached.

machinery means any vehicle, equipment or other mechanical apparatus of any kind which has at any time been used – in relation to agriculture (including horticulture, turf farming and nurseries), or for moving or disturbing soil.

Plant Health Assurance Certificate means a Plant Health Assurance Certificate issued by a person authorised by the Queensland Department of Primary Industries to issue Plant Health Assurance Certificates.

Plant Health Certificate means a Plant Health Certificate issued by an authorised officer of the Queensland Department of Primary Industries.

plant mulch means any organic plant mulch including bark, wood chips, hay, straw, and sugar cane bagasse.

Red Imported Fire Ant means the pest Red Imported Fire Ant (*Solenopsis invicta*).

soil includes potting mixes, any forms of manufactured potting media, pebbles and gravel.

turf means any grass sod with soil or potting media attached.

SCHEDULE 1

Baled hay, baled straw, containerised plants, machinery, plant mulch, soil, turf.

SCHEDULE 2

The Cities of Brisbane, Caloundra, Gold Coast, Ipswich, Logan, and Redcliffe

and the Shires of Beaudesert, Boonah, Caboolture, Esk, Gatton, Kilcoy, Laidley, Maroochy, Noosa, Pine Rivers, and Redland.

Note: For further information, contact the New South Wales Department of Agriculture on (02) 63913576. P125 is the Department's reference.

Signed and sealed at Sydney this 27th day of February 2002.

By Her Excellency's Command,

RICHARD AMERY, M.P.,
Minister for Agriculture

GOD SAVE THE QUEEN!