

Department of Primary Industries

Agriculture

PLANT DISEASES ACT 1924

PROCLAMATION P160

PROCLAMATION to regulate the importation, introduction and bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Corowa.

Her Excellency Professor MARIE BASHIR, A.C.,
Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, being of the opinion that the movement of fruit within a portion of the State is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*), with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1924 do by this proclamation regulate the movement of fruit within the State in the manner set out in this proclamation.

1. Host Fruit that originates from or that has moved through the Suspension Area must not be imported, introduced or brought into the Outer Area unless:
 - (a) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
 - (b) the Host Fruit is transported and stored in accordance with any conditions relating to such matters which are stated in the Plant Health Certificate or the Plant Health Assurance Certificate, and
 - (c) the Plant Health Certificate or the Plant Health Assurance Certificate is in the possession of the driver of the vehicle transporting the Host Fruit or the person otherwise having custody or control of the Host Fruit while it is in the Suspension Area or the Outer Area as the case may be, and
 - (d) the Plant Health Certificate or the Plant Health Assurance Certificate is produced on demand to an inspector or a person authorised pursuant to section 11(3).

2. Definitions

In this Proclamation:

Host Fruit means the fruit specified in Schedule 1.

Outer Area means the area known as the New South Wales Fruit Fly Exclusion Zone, as declared in Proclamation P36 published in *Government Gazette* No. 13 of 31 January 1997 at page 321, other than the suspension area.

Plant Health Assurance Certificate means a certificate—

- issued by a person authorised by the New South Wales Department of Primary Industries to issue Plant Health Assurance Certificates, and
- which certifies that the host fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the New South Wales Department of Primary Industries, and
- which specifies any conditions subject to which the host fruit must be transported or stored.

Plant Health Certificate means a certificate —

- issued by an inspector or a person authorised pursuant to section 11(3), and
- which certifies that the host fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the New South Wales Department of Primary Industries, and
- which specifies any conditions subject to which the host fruit must be transported or stored.

Suspension Area means the part of New South Wales specified in Schedule 2.

SCHEDULE 1 – Host Fruit

All citrus fruit, pome fruit, stone fruit and tropical fruit (excepting pineapple).

The following berry fruit:

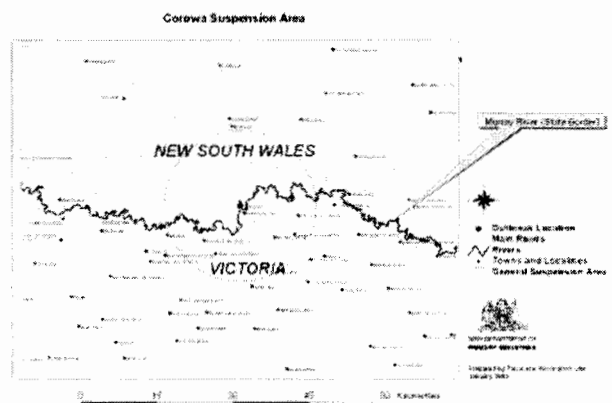
blackberry	cape gooseberry	raspberry
blueberry	Loganberry	strawberry
boysenberry	Mulberry	youngberry

The following other fruit:

abiu	kiwifruit or Chinese
babaco	gooseberries
brasilian cherry	loquat
capsicum	medlars
cashew apple	pepino
cherimoya	persimmon
chilli (chillies) (cherry	pomegranate
peppers) (tabasco)	prickly pear
dates (fresh)	rollinia
feijoa	santol
fig	tamarillo
granadilla	tomato
grumichama (Brazilian)	walnuts (green)
(Costa Rican)	wax jambu
jujubes	

SCHEDULE 2 – Suspension Area

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees 36.0011 South and 146.3846 East. The part is represented in the map titled “Corowa suspension area”.



Note: The NSW Department of Primary Industries reference is P160.

For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney this 9th day of February 2005.

By Her Excellency's Command,

IAN MACDONALD, M.L.C.,
NSW Minister For Primary Industries

GOD SAVE THE QUEEN!

AGRICULTURAL TENANCIES ACT 1990

Delegations by the Director General

I, BARRY DESMOND BUFFIER, Director General of the Department of Primary Industries, pursuant to section 27A of the Agricultural Tenancies Act 1990, delegate to the person or persons holding office for the time being as Executive Director Corporate Services the powers under Schedule 1 hereto.

Dated this 9th day of February 2005.

BARRY D. BUFFIER,
Director General

SCHEDULE 1

Section 12(3) Record of condition of farm

Section 23 (3) At the request of an owner or tenant, appoint a person to make a record under section 23.

Section 23 Application for Arbitration

- 1) Section 23(1) Approve the form for making an application for arbitration.
- 2) Section 23(2) Service of a copy of an application for arbitration on the other party or each other party to an arbitration.

Section 24 Time limit

Section 24(3) On the application of a party, extend the time for the making of an application for arbitration.

Section 25 The Director General's functions relating to arbitration applications

- 1) Section 25(a) Arrange a pre-arbitration conference and determine the manner in which the conference is to be held.
- 2) Section 25(b) Encourage the parties, if appropriate, to seek mediation in accordance with Division 3.
- 3) Section 25(c) Request the parties to provide information or documents relating to the application.
- 4) Section 25(d) Refer the dispute or matter to arbitration and appoint an arbitrator.
- 5) Section 25(e) Fix the date for hearing of an arbitration.
- 6) Section 25(f) Appoint a technical assessor.

Section 26 Referral of Disputes and matter to Court

Section 26(1) Refer a dispute or matter to a court in accordance with section 26, instead of referring it to arbitration.

Section 26B Referral for mediation

Section 26B(1) Refer a dispute or matter to mediation.

Section 26B(3) Refer a dispute or matter to arbitration where the mediation is unsuccessful.

Section 26E Mediators

Section 26E(1) Compile a list of mediators for the purposes of Part 4.

Section 26E(4) Amend or revoke any list of mediators.

Section 26I Arbitrators

Section 26I(1) Appoint a single arbitrator to conduct the arbitration of a dispute or matter.

Section 26I(3) Appoint a committee of 3 persons to arbitrate a dispute or matter.

Section 26J Technical Assessors

Section 26J(1) Appoint a person as a technical assessor to assist the arbitrator to determine a dispute or matter.

DRUG MISUSE AND TRAFFICKING ACT 1985

Appointment of Persons to give Certificates

I, BARRY DESMOND BUFFIER, Director-General of the Department of Primary Industries, pursuant to section 43(5) of the Drug Misuse and Trafficking Act 1985, hereby:

1. revoke the previous instrument made under this section on 25 September 2003 and published in *NSW Government Gazette* No. 161 on 3 October 2003, and made on 3 September 2004.
2. appoint the persons named in the Schedule hereunder as persons to give certificates for the purposes of the section.

SCHEDULE

LOCATION	NAME
ALBURY	Eryn John Stinson KNOBEL
ALSTONVILLE	Ian Alexander GERRARD
ALSTONVILLE	Peter Allan REGAN
ARMIDALE	Philip John BLACKMORE
ARMIDALE	Francis John TANNER
BATHURST	Nicholas Osborne ANNAND
BATHURST	Bruce William CLEMENTS
BATHURST	Adrian John Arthur LYNCH
BATHURST	Bernard Joseph McMULLEN
BERRY	Kerry Ann ALLAN
BERRY	Brian Phillip HERRING
BERRY	Amanda Lee MATHER
BERRY	John William O'CONNOR
BERRY	Elizabeth YEATMAN
BINGARA	Robert Clarence SMITH
BROKEN HILL	Jeffrey William Alexander
EVANS	
CAMDEN	Lawrence ULLIO
COBAKI	Maxwell Brian McLEOD
COFFS HARBOUR	Anne WEBSTER
CONDOBOLIN	Nathan Luke BORDER
COOMA	Luke Christopher POPE
COONABARABRAN	Klara Jane SCHULZE
COONAMBLE	Janet Louise WILKINS