

PLANT DISEASES ACT 1924

Proclamation P176

Proclamation to regulate the bringing into the State, or specified portions of the State, of certain plants, machinery and equipment on account of the pest
Phylloxera

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

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council:

(1) pursuant to section 3 (2) (a) of the Plant Diseases Act 1924, hereby revoke Proclamation P165 published in New South Wales Government Gazette No. 66 of 19 May 2006 at pages 3129-3133 and any proclamation revived as a result of its revocation;

(2) pursuant to section 4 (1) of the Plant Diseases Act 1924 and being of the opinion that the importation, introduction or bringing of the items specified in Schedule 1 into the State, and into specified portions of the State, is likely to introduce the pest *Phylloxera* (*Daktulosphaira vitifoliae* (Fitch)), hereby regulate the importation, introduction or bringing of such items as follows:

(a) Movement of Items into a NSW Phylloxera Exclusion Zone from a NSW or Interstate Phylloxera Infested Zone

Any item specified in Schedule 1 that originates from or has moved through one or more of the portions of the State specified in Schedule 3 (NSW Phylloxera Infested Zones) or one or more of the portions of other States and Territories specified in Schedule 4 (Interstate Phylloxera Infested Zones) may only be brought into the portions of the State specified in Schedule 2 (NSW Phylloxera Exclusion Zones) if entering

(i) in accordance with written conditions of movement, as approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, OR

(ii) with the specific written approval of the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and in compliance with any conditions specified in that approval.

(b) Movement of Items into a NSW Phylloxera Exclusion Zone or NSW Phylloxera Infested Zone from an Interstate Phylloxera Risk Zone

Any item specified in Schedule 1 that originates from or has moved through one or more of the portions of other States and Territories specified in Schedule 5 (Interstate Phylloxera Risk Zones), and to which neither paragraph (a) or paragraph (d) applies, may only be brought into New South Wales if entering

(i) in accordance with written conditions of movement, as approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, OR

(ii) with the specific written approval of the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and in compliance with any conditions specified in that approval.

(c) Movement of Items into a NSW Phylloxera Exclusion Zone or NSW Phylloxera Infested Zone from an Interstate Phylloxera Exclusion Zone

Any item specified in Schedule 1 that originates from or has moved through one or more of the portions of other States and Territories specified in Schedule 6 (Interstate Phylloxera Exclusion Zones), and to which neither paragraph (a), paragraph (b) or paragraph (d) applies, may only be brought into New South Wales if entering in accordance with written conditions of movement, if any, approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations.

(d) Movement of Items into a NSW Phylloxera Infested Zone from a NSW or Interstate Phylloxera Infested Zone

Any item specified in Schedule 1 that originates from or has moved through one or more of the portions of the State specified in Schedule 3 (NSW Phylloxera Infested Zones) or one or more of the portions of other States and Territories specified in Schedule 4 (Interstate Phylloxera Infested Zones), and to which paragraph (a) does not apply, may only be brought into the portions of the State specified in Schedule 3 (NSW Phylloxera Infested Zones) if entering

(i) in accordance with written conditions of movement, as approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, OR

(ii) with the specific written approval of the Executive Director, Biosecurity, Compliance and Mine Safety, the Director, Animal and Plant Biosecurity, or the Director, Compliance Operations, and in compliance with any conditions specified in that approval.

SCHEDULE 1**Regulated Items**

1. *Phylloxera* insects or anything infested with them.
2. Any part of the plant genus *Vitis*, excluding packaged dried fruit or fruit processed into juice or wine being free from all shoots, leaves, canes and other plant residue and soil.
3. Machinery or equipment that has been used in a vineyard.
4. Soil that is in contact with any plant material of the genus *Vitis* or that has been in contact with any such plant material at any time during the previous five (5) years.
5. Anything at risk of spreading the pest *Phylloxera*, such as garden organics.

Note: Clause 2 does not exclude either clarified or filtered white juice, or white, red or rose must from the regulation of this Proclamation.

SCHEDULE 2

NSW Phylloxera Exclusion Zones

The local government areas of the State other than those specified in Schedule 3.

SCHEDULE 3

NSW Phylloxera Infested Zones

Albury/Corowa Infested Zone

- Albury
- Corowa (that part within the County of Hume)
- Greater Hume, excluding Culcairn and Holbrook abolished as part of the amalgamation of local government areas

Sydney Region Infested Zone

- Ashfield
- Auburn
- Bankstown
- Baulkham Hills
- Blacktown
- Botany Bay
- Burwood
- Camden
- Campbelltown
- Canada Bay
- Canterbury
- Fairfield
- Hawkesbury (within the County of Cumberland)
- Holroyd
- Hornsby
- Hunters Hill
- Hurstville
- Kogarah
- Ku-ring-gai
- Lane Cove
- Leichhardt
- Liverpool
- Manly
- Marrickville
- Mosman
- North Sydney
- Parramatta
- Penrith (other than the portion west of the Nepean River)
- Pittwater
- Randwick
- Rockdale
- Ryde
- Strathfield
- Sutherland
- Sydney
- Warringah
- Waverly
- Willoughby
- Wollondilly (portion that is within the counties of Cumberland and Camden)
- Wollongong
- Woollahra

Note: The NSW Phylloxera Exclusion Zone and NSW Phylloxera Infested Zones are shown on a map that can be accessed at <http://www.dpi.nsw.gov.au/aboutus/about/legislation/plant-diseases-act-approvals-and-conditions-of-entry>

SCHEDULE 4

Interstate Phylloxera Infested Zones

Any zone in another State or Territory that has been:

1. designated as a Phylloxera Infested Zone by official notification, such as publication in the *Government Gazette* of that State or Territory; or
2. quarantined on account of an outbreak of *Phylloxera*.

SCHEDULE 5

Interstate Phylloxera Risk Zones

The portions of other States and Territories not forming part of any zone described in Schedule 4 or Schedule 6.

SCHEDULE 6

Interstate Phylloxera Exclusion Zones

Any zone in another State or Territory that falls within the definition of a 'Phylloxera Exclusion Zone (PEZ)' in the National Phylloxera Management Protocol: Definitions of Phylloxera Management Zones published by the National Vine Health Steering Committee, as amended from time to time.

Definitions

In this Proclamation:

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

Director, Compliance Operations, means the Director, Compliance Operations, of NSW Department of Primary Industries;

Executive Director, Biosecurity, Compliance and Mine Safety, means the Executive Director, Biosecurity, Compliance and Mine Safety, of NSW Department of Primary Industries.

Signed and sealed at Sydney this 20th day of December 2006.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

GOD SAVE THE QUEEN!

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

Code of Practice for Workplace Amenities
(Amendment No. 2) 2006

Instrument under the Occupational Health and
Safety Act 2000

1 Name of Instrument

This Instrument is the Code of practice for workplace amenities (Amendment No 2) 2006.

2 Definition

In this Instrument, Code of practice for workplace amenities means the Code of Practice for workplace amenities prepared by WorkCover and published in the *Government Gazette* on 21 September 2001.

3 Commencement

This Instrument takes effect on the date of its publication in the *Government Gazette*.