



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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SPECIAL SUPPLEMENT

Department of Premier and Cabinet, Sydney

23 January 2009

The Honourable Justice Margaret Beazley AO, Administration of the State of New South Wales, has been pleased to appoint:

The Honourable Graham James West MP as Minister Assisting the Premier on Veterans' Affairs.

By the Administrator's Command,

NATHAN REES,
Premier

NEW SOUTH WALES CABINET

LIST OF MINISTERS

23 January 2009

The Honourable Nathan Rees MP
Premier, and Minister for the Arts

The Honourable Carmel Mary Tebbutt MP
Deputy Premier, Minister for Climate Change and the Environment, and Minister for Commerce

The Honourable John Joseph Della Bosca MLC
Minister for Health, Minister for the Central Coast, and Vice President of the Executive Council

The Honourable John Hatzistergos MLC
Attorney General, Minister for Justice, and Minister for Industrial Relations

The Honourable Eric Michael Roozendaal MLC
Treasurer

The Honourable David Andrew Campbell MP
Minister for Transport, and Minister for the Illawarra

The Honourable Verity Helen Firth MP
Minister for Education and Training, and Minister for Women

The Honourable Kristina Kerscher Keneally MP
Minister for Planning, and Minister for Redfern Waterloo

The Honourable Joseph Guerino Tripodi MP
Minister for Finance, Minister for Infrastructure, Minister for Regulatory Reform, and Minister for Ports and Waterways

The Honourable Ian Michael Macdonald MLC
Minister for Primary Industries, Minister for Energy, Minister for Mineral Resources, and Minister for State Development

The Honourable Anthony Bernard Kelly MLC
Minister for Police, Minister for Lands, and Minister for Emergency Services

The Honourable Linda Jean Burney MP
Minister for Community Services

The Honourable Kevin Patrick Greene MP
Minister for Gaming and Racing, and Minister for Sport and Recreation

The Honourable Paul Gerard Lynch MP
Minister for Ageing, Minister for Disability Services, and Minister for Aboriginal Affairs

The Honourable Barbara Mazzel Perry MP
Minister for Local Government, and Minister Assisting the Minister for Health (Mental Health)

The Honourable Graham James West MP
Minister for Juvenile Justice, Minister for Volunteering, Minister for Youth, and Minister Assisting the Premier on Veterans' Affairs

The Honourable Michael John Daley MP
Minister for Roads

The Honourable Phillip John Costa MP
Minister for Water, Minister for Rural Affairs, and Minister for Regional Development

The Honourable Dianne Virginia Judge MP
Minister for Fair Trading, Minister for Citizenship, and Minister Assisting the Premier on the Arts

The Honourable David Lawrence Borger MP
Minister for Housing, and Minister for Western Sydney

The Honourable Jodi Leyanne McKay MP
Minister for Tourism, Minister for the Hunter, Minister for Small Business, Minister for Science and Medical Research, and Minister Assisting the Minister for Health (Cancer)

PLANT DISEASES ACT 1924
Order OR102

Treatment and eradication of banana diseases and pests within the NSW Banana Protected Area

I, IAN MACDONALD, MLC, NSW Minister for Primary Industries:

- A. pursuant to section 5A(1) of the Act, for the purposes of treating the diseases Bunchy top and Panama and the pest Banana aphid, and preventing their spread, and for the purpose of eradicating or lessening the risk of the diseases Bunchy top and Panama and of the pest Banana aphid attacking or being harboured in the part of the State known as the "NSW Banana Protected Area" ("the Area") as specified in Schedule 1, specify the following requirements:

Planting and management of Musaceae plants within the NSW Banana Protected Area

1. An appropriate person within the Area must:

- Permit to plant any Musaceae plants
- (a) obtain a permit to plant before planting any Musaceae plant; and
- (b) destroy immediately any Musaceae plant that has been planted for which a permit to plant has not been obtained; and
- Keeping ground free of vegetation
- (c) (i) keep the ground within 1 metre of each Musaceae plant free from other vegetation in excess of 0.3 metres in height; and
- (ii) if directed in writing to do so by an inspector, destroy immediately any Musaceae plant which is not free from other vegetation in excess of 0.3 metres in height; and
- Destruction of plants infected with Bunchy top and infested with Banana aphid
- (d) (i) destroy immediately any Musaceae plant which is infected with Bunchy top and destroy immediately any Banana aphid infesting such a Musaceae plant; and
- (ii) if directed in writing to do so by an inspector, destroy immediately any Musaceae plant which is growing within a specified radius from a Bunchy top infected Musaceae plant and destroy immediately any Banana aphid infesting a Musaceae plant which is within that specified radius; and
- Notification of change of ownership
- (e) give to an inspector written notice of a proposed change of ownership or occupancy of land on which a Musaceae plant is growing,
- (i) at least 14 days before the change of ownership or occupancy; and
- (ii) within 14 days after the change of ownership or occupancy.

Possession of Musaceae plants within the NSW Banana Protected Area

2. An appropriate person in possession of any Musaceae plant within the Area must:

- Permit to plant any Musaceae plants
- (a) obtain a permit before planting any Musaceae plant within the Area; and

Destruction of plants infected with Bunchy top and infested with Banana aphid

- (b) destroy immediately any Musaceae plant which is in the possession of the person and is infected with Bunchy top and to also destroy immediately any Banana aphid infesting such a Musaceae plant.

Removal and movement of Musaceae plant material within the NSW Banana Protected Area

3. Prohibit the removal from any place within the Area of any Musaceae plant material unless the plant material is:
- (a) fruit; or
 - (b) plant material for which a Plant Health Assurance Certificate has been issued; or
 - (c) plant material moved with a permit issued by an inspector in accordance with conditions specified by the Director, Animal & Plant Biosecurity.

SCHEDULE 1

NSW Banana Protected Area

The Local Government Areas of:

Ballina	Greater Taree	Bellingen
Hastings	Byron	Coffs Harbour
Kempsey	Richmond Valley	Lismore
Kyogle	Tweed	
Clarence Valley	Nambucca	

The part of the State known as the NSW Banana Protected Area is represented in the map titled "NSW Banana Protected Area".

Definitions

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

Plant Health Assurance Certificate means a certificate issued by a person accredited under the Quality Banana Approved Nursery (QBAN) scheme as evidence that the plant material complies with conditions specified by the Director, Animal & Plant Biosecurity. The QBAN scheme is a scheme that sets standards for tissue culture laboratories and nurseries and is administered by the Queensland Department of Primary Industries.

Banana aphid means the pest *Pentalonia nigronervosa*.

Bunchy top means Banana bunchy top virus.

Director, Animal & Plant Biosecurity means the Director, Animal & Plant Biosecurity, Division of Agriculture, Biosecurity & Mine Safety of the NSW Department of Primary Industries.

destroy immediately means destroy immediately in a manner approved from time to time by the Director, Animal & Plant Biosecurity.

inspector means an inspector appointed under the Act or a person authorised to perform any or all of the functions of an inspector.

Muscaceae plant means any plant of the family Musaceae.

Panama means endemic strains of the disease *Fusarium oxysporum f.sp. cubense* in the NSW Banana Protected Area.

permit means a permit issued by an inspector or other authorised person.

plant means plant as defined in section 3(1) of the Act, including the seed or any part of a plant whether living or dead and whether attached to a plant or separate from a plant.

specified radius means a radius specified in writing in a direction given to the appropriate person by an inspector.

Notes:

1. OR102 is the NSW Department of Primary Industries reference.
2. “Appropriate person” is defined in section 5A of the Plant Diseases Act 1924 and means:
 - i. an owner or occupier of land or premises, or
 - ii. a person in possession of plants, fruit coverings or other things, whether of the same or a different kind or nature.
3. For further information contact the NSW Department of Primary Industries on (02) 63913 3593.

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

NSW Banana Protected Area



New South Wales


NSW DEPARTMENT OF
PRIMARY INDUSTRIES

Prepared By Resource Information Unit
November 2004



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