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Biosecurity (Boneseed) Control Order 2022

under the

Biosecurity Act 2015

I, John Tracey, Deputy Director General, Biosecurity & Food Safety, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act, make the following Control Order.

Dated 27 day of June 2022

John Tracey
Deputy Director General of Biosecurity & Food Safety
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Boneseed) Control Order 2022*.

2 Commencement and duration

- (1) This Control Order commences on 1 July 2022.
- (2) This Control Order has effect for a period of five years until 30 June 2027.

Note. Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

3 Definitions

- (1) In this Control Order:

boneseed means the weed *Chrysanthemoides monilifera subsp. monilifera* and includes any seed or propagules.

boneseed control zone is the whole of New South Wales.

propagules means any part of a boneseed plant that becomes detached from the rest of the plant that can grow into a new boneseed plant.

property means an area of land (including an area comprising 1 or more parcels of land) that is worked as a single property.

the Act means the *Biosecurity Act 2015*.

the Regulation means the Biosecurity Regulation 2017.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this Control Order is as follows:

- (a) the presence, spread and increase of boneseed (the **biosecurity matter**) has the potential to have an adverse effect on the environment (the **biosecurity impact**).
- (b) if left undetected and untreated boneseed can vigorously grow, have prolific seed production and seeds can be dispersed quickly by foxes and birds spreading boneseed across long distances. Boneseed competes strongly with and in some cases eliminates native vegetation.
- (c) control measures are required to assist in the prevention of the spread of boneseed and eradicate, minimise, and manage the biosecurity impact that boneseed has in the boneseed control zone.

5 Control zone

The principal area in which the control measures in Part 2 of this Control Order are required to be implemented under is the boneseed control zone.

Part 2 Control measures

6 Control measure – owners and occupiers of land

- (1) The owner or occupier of land in the boneseed control zone on which there is a new infestation of boneseed must notify the local control authority for that land as soon as practicable of the following information:
 - (a) the person's full name and contact details, including a telephone number,
 - (b) the address of the land, including the lot and deposited plan number and the property identification code for the land (if these are known), and
 - (c) any other information that is requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of boneseed by immediately destroying all boneseed on the land. This requirement applies to any new infestation as well as any subsequent generations of boneseed on that land.
- (3) The owner or occupier does not need to comply with subclause (1) if they know that notification of the new infestation on the land has already been given to the local control authority of that land.

7 Control measure – persons dealing with carriers

- (1) This clause applies to any land in the boneseed control zone on which boneseed is present or is likely to be present.
- (2) A person who deals with a carrier of boneseed on land to which this clause applies, must take all reasonable steps to ensure that the carrier is not moved from the land with any boneseed on it, attached to it, or contained in it, before the carrier is moved from the land.

8 Control measure – persons moving boneseed and carriers of boneseed (excluding a human)

- (1) A person who moves boneseed or a carrier of boneseed (excluding a human) to another property, must notify the local control authority for that other property as soon as practicable before moving the boneseed of the following information:
 - (a) the person’s full name and contact details, and
 - (b) the addresses of the land the boneseed is coming from and going to, including the lot and deposited plan number and the property identification code for the land (if these are known).
- (2) A person who moves boneseed or a carrier of boneseed (excluding a human) does not need to comply with subclause (1) if they know that notification of the movement has already been given to the local control authority for that other property

Note. Examples of when boneseed or a carrier of boneseed (excluding a human) may need to be moved include, but are not limited to, the movement of vehicles, soil, or livestock as well as movement of boneseed for disposal.

Biosecurity (Tropical Soda Apple) Control Order 2022

under the

Biosecurity Act 2015

I, John Tracey, Deputy Director General, Biosecurity & Food Safety, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act, make the following Control Order.

Dated 27 day of June 2022

John Tracey
Deputy Director General, Biosecurity & Food Safety
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Tropical Soda Apple) Control Order 2022*.

2 Commencement and duration

- (1) This Control Order commences on 1 July 2022.
- (2) This Control Order has effect for a period of five years until 30 June 2027.

Note. Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

3 Definitions

- (1) In this Control Order:

propagules means a part of a tropical soda apple plant that becomes detached from the plant that can grow into a new tropical soda apple plant.

property means an area of land (including an area comprising 1 or more parcels of land that are proximate) that is worked as a single property.

the Act means the *Biosecurity Act 2015*.

the Regulation means the Biosecurity Regulation 2017

tropical soda apple means the weed *Solanum viarum* and includes any seeds or propagules.

tropical soda apple control zone is the whole of New South Wales.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this Control Order are as follows:

- (a) the presence, spread and increase of tropical soda apple (the **biosecurity matter**) in New South Wales has the potential to have an adverse effect on the environment and the economy (the **biosecurity impact**).
- (b) tropical soda apple can compete with pasture plants for light and moisture as well as reducing biodiversity by displacing native plants and disrupting ecological processes. Tropical soda apple is also a host plant for other diseases and pests.
- (c) control measures are required to assist in preventing the spread of tropical soda apple and to eradicate, minimise, and manage the biosecurity impact that tropical soda apple has in the tropical soda apple control zone.

5 Control zone

The principal area in which the control measures in Part 2 of this Control Order are required to be implemented under is the tropical soda apple control zone.

Part 2 Control measures

6 Control measure – owners and occupiers of land

- (1) The owner or occupier of land in the tropical soda apple control zone on which there is a new infestation of tropical soda apple must notify the local control authority for that land as soon as practicable of the following information:
 - (a) the person's full name and contact details, including a telephone number,
 - (b) the address of the land, including the lot and deposited plan number and the property identification code for the land (if these are known), and
 - (c) any other information that is requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of tropical soda apple by immediately destroying all tropical soda apple, including fruit on the land. This requirement applies to any infestation including any subsequent generations of tropical soda apple on that land.
- (3) The owner or occupier does not need to comply with subclause (1) if they know that notification of the new infestation on the land has already been given to the local control authority for that land.

7 Control measure – persons dealing with carriers

- (1) This clause applies to any land in the tropical soda apple control zone on which tropical soda apple is present or is likely to be present.
- (2) A person who deals with a carrier of tropical soda apple on land to which this clause applies, must ensure that before moving the carrier from the land, all steps are taken so that the carrier is not moved from the land with any tropical soda apple on it, attached to it or contained in it.

8 Control measure – persons moving of tropical soda apple and carriers (excluding a human)

- (1) A person who moves tropical soda apple or a carrier of tropical soda apple (excluding a human) to another property for the must notify the local control authority for that property as soon as practicable before moving the tropical soda apple of the following:
 - (a) the person’s full name and contact details,
 - (b) the addresses of the land the tropical soda apple is coming from and going to, including the lot and deposited plan number and the property identification code for the land (if these are known).
- (2) A person who moves tropical soda apple or a carrier of tropical soda apple (excluding a human) does not need to comply with subclause (1) if they know that notification of the movement has already been given to the local control authority for that property.

Note. Examples of when tropical soda apple or a carrier of tropical soda apple (excluding a human) may need to be moved include, but are not limited to, the movement of vehicles, soil or livestock as well as movement of tropical soda apple for disposal.

Biosecurity (Parkinsonia) Control Order 2022

under the

Biosecurity Act 2015

I, John Tracey, Deputy Director General, Biosecurity & Food Safety, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act, make the following Control Order.

Dated 27 day of June 2022

John Tracey
Deputy Director General, Biosecurity & Food Safety
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Parkinsonia) Control Order 2022*.

2 Commencement and duration

- (1) This Control Order commences on 1 July 2022.
- (2) This Control Order has effect for a period of five years until 30 June 2027.

Note. Notice of this Control Order will be given by publishing it on the Department's website and in the Gazette.

3 Definitions

- (1) In this Control Order:

parkinsonia means the weed *Parkinsonia aculeata* and includes any seeds or propagules.

parkinsonia control zone is the whole of New South Wales.

propagules means a part of the parkinsonia plant that becomes detached from the rest of the plant that can grow into a new parkinsonia plant.

property means an area of land (including an area comprising 1 or more parcels of land that are proximate) that is worked as a single property.

the Act means the *Biosecurity Act 2015*.

the Regulation means the *Biosecurity Regulation 2017*.

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this Control Order is as follows:

- (a) the presence, spread and increase of parkinsonia (the **biosecurity matter**) has the potential to have an adverse effect on the environment (the **biosecurity impact**).
- (b) six local control authorities are managing parkinsonia infestations within New South Wales. Most of these infestations have occurred in river flood prone areas.
- (c) if left undetected and untreated parkinsonia is expected to migrate downstream along the Narran River towards the Narran Lakes Nature Reserve. The Narran River supports three wetland-dependent threatened species and 40 migratory bird species which may be in jeopardy if parkinsonia populations become established.
- (d) control measures are required to assist in the prevention of the spread of parkinsonia and eradicate, minimise, and manage the biosecurity impact that parkinsonia has in the parkinsonia control zone.

5 Control zone

The principal area in which the control measures in Part 2 of this Control Order are required to be implemented under is the parkinsonia control zone.

Part 2 Control measures

6 Control measure – owners and occupiers of land

- (1) The owner or occupier of land in the parkinsonia control zone on which there is a new infestation of parkinsonia must notify the local control authority for that land as soon as practicable of the following information:
 - (a) the person's full name and contact details, including a telephone number,
 - (b) the address of the land, including the lot and deposited plan number and the property identification code for the land (if these are known), and
 - (c) any other information that is requested by the local control authority.
- (2) The owner or occupier of the land must ensure that the land is kept free of parkinsonia by immediately destroying all parkinsonia on the land. This requirement applies to any infestations as well as any subsequent generations of parkinsonia.
- (3) The owner or occupier does not need to comply with subclause (1) if they know that the notification of the new infestation on the land has already been given to the local control authority for that land.

7 Control measure – persons dealing with carriers

- (1) This clause applies to any land in the parkinsonia control zone on which parkinsonia is present or is likely to be present.
- (2) A person who deals with a carrier of parkinsonia on land to which this clause applies, must take all reasonable steps to ensure that the carriers is not moved from the land with any boneseed on it, attached to it, or contained in it, before the carrier is moved from the land.

8 Control measure – persons moving parkinsonia and carriers of parkinsonia (excluding a human)

- (1) A person who moves parkinsonia or a carrier of parkinsonia (excluding a human) to another property, must notify the local control authority for that other property as soon as practicable before moving the parkinsonia of the following:
 - (a) the person’s full name and contact details, and
 - (b) the addresses of the land the parkinsonia is coming from and going to, including the lot and deposited plan number and the property identification code for the land (if these are known).
- (2) A person who moves parkinsonia or a carrier of parkinsonia (excluding a human) does not need to comply with subclause (1) if they know that notification of the movement has already been given to the local control authority for that other property.

Note. Examples of when parkinsonia or a carrier of parkinsonia (excluding a human) may need to be moved include, but are not limited to, the movement of vehicles, soil or livestock as well as movement of parkinsonia for disposal

Pursuant to section 136 of the *Mining Act 1992* and section 16 of the *Petroleum (Onshore) Act 1991*

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(APP-2022-136)

No. 6502, COBAR MINERALS PTY LTD (ACN 623 510 430), area of 9 units, for Group 1, dated 22 June 2022. (Cobar Mining Division).

(APP-2022-137)

No. 6503, JONATHAN CHARLES DOWNES, area of 6 units, for Group 1 and Group 2, dated 24 June 2022. (Armidale Mining Division).

MINING LEASE APPLICATIONS

(APP-2022-103)

No. 617, MORELLO EARTHMOVING PTY LTD (ACN 055 015 051), area of about 108 hectares, to mine for gypsum, dated 23 May 2022. (Broken Hill Mining Division).

(APP-2022-105)

No. 619, LIGHTNING RIDGE MINERS' ASSOCIATION LTD (ACN 001 204 726), area of about 9.869 hectares, for the purpose of building, dam, machinery, pipeline, road, fuel, equipment and timber, dated 18 May 2022. (Lightning Ridge Mining Division).

NOTICE is given that the following application has been withdrawn:

EXPLORATION LICENCE APPLICATION

(APP-2022-57)

No. 6456, COPPER GREEN PTY LTD (ACN 119559974), County of Ashburnham and County of Gordon, Map Sheet (8531, 8631). Withdrawal took effect on 22 June 2022.

NOTICE is given that the following applications for renewal have been received:

(REN-2022-166)

Exploration Licence No. 5958, RIMFIRE PACIFIC MINING LIMITED (ACN 006 911 744), area of 27 units. Application for renewal received 24 June 2022.

(REN-2022-162)

Exploration Licence No. 7161, TRONOX MINING AUSTRALIA LIMITED (ACN 009 247 858), area of 24 units. Application for renewal received 23 June 2022.

(REN-2022-168)

Exploration Licence No. 7800, TARONGA MINES PTY LTD (ACN 126 854 288), area of 36 units. Application for renewal received 27 June 2022.

(REN-2022-165)

Exploration Licence No. 8766, LACHLAN RESOURCES PTY LTD (ACN 610 889 882), area of 26 units. Application for renewal received 24 June 2022.

(TMS-REN404)

Mining Lease No. 1026 (Act 1973), HILLGROVE MINES PTY LTD (ACN 102 660 506), area of 97.94 hectares. Application for renewal received 22 January 2019.

(REN-2022-167)

Mining Lease No. 1480 (Act 1992), CENTENNIAL NEWSTAN PTY LIMITED (ACN 101 508 865), area of 14.49 hectares. Application for renewal received 27 June 2022.

(REN-2022-19)

Mining Lease No. 1517 (Act 1992), GRAYMONT (EXCELSIOR) PTY LTD (ACN 000 561 311), area of 28.68 hectares. Application for renewal received 24 June 2022.

(REN-2022-159)

Mining Lease No. 1522 (Act 1992), METROMIX PTY LIMITED (ACN 002886839), area of 14 hectares. Application for renewal received 22 June 2022.

(REN-2022-160)

Mineral Lease No. 4635 (Act 1906), METROMIX PTY LIMITED (ACN 002886839), area of 16.19 hectares. Application for renewal received 22 June 2022.

(REN-2022-161)

Mineral Lease No. 4636 (Act 1906), METROMIX PTY LIMITED (ACN 002886839), area of 4.047 hectares. Application for renewal received 22 June 2022.

(REN-2022-163)

Mineral Lease No. 6388 (Act 1906), METROMIX PTY LIMITED (ACN 002886839), area of 1.69 hectares. Application for renewal received 23 June 2022.

(REN-2022-164)

Private Lands Lease No. 584 (Act 1924), METROMIX PTY LIMITED (ACN 002886839), area of 15.5 hectares. Application for renewal received 23 June 2022.

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(TMS-REN349)

Exploration Licence No. 6123, MONASH COAL PTY LTD (ACN 069 359 011), County of Northumberland, Map Sheet (9132), area of 1886 hectares, for a further term until 8 September 2025. Renewal effective on and from 10 June 2022.

(TMS-REN348)

Exploration Licence No. 7579, MONASH COAL PTY LTD (ACN 069 359 011), County of Northumberland, Map Sheet (9132), area of 333 hectares, for a further term until 22 July 2025. Renewal effective on and from 10 June 2022.

(REN-2022-1)

Exploration Licence No. 8502, KINCORA COPPER AUSTRALIA PTY LTD (ACN 635 807 171) and RAREX LIMITED (ACN 105 578 756), County of Gipps, Map Sheet (8430), area of 25 units, for a further term until 10 January 2025. Renewal effective on and from 19 June 2022.

APPLICATIONS TO TRANSFER RECEIVED

Notice is given that the following applications to transfer have been received:

(TRF-2022-32)

BLACK DRAGON ENERGY (AUS) PTY LTD (ACN 160804062) has applied for approval to transfer Exploration Licence No. 9121 to TECHGEN NSW PTY LTD (ACN 659809926). Application received 22 June 2022.

TRANSFERS

(TRF-2022-21)

Exploration Licence No. 8437, formerly held by JODAMA PTY LTD (ACN 095 440 547) has been transferred to LM2 METALS PTY LTD (ACN 650292676). The transfer was registered on 14 June 2022.

(TRF-2022-24)

Exploration Licence No. 8504, formerly held by DRUMMOND WEST PTY LTD (ACN 112 104 668) has been transferred to ENDEAVOUR MINERALS PTY LTD (ACN 063 725 708). The transfer was registered on 24 June 2022.

CANCELLATION APPLCIATIONS

(CAN-2022-16)

Exploration Licence No. 9061 (Act 1992), TRK RESOURCES PTY LTD (ACN 116543081), County of Cowper, Map Sheet (8036, 8136), area of 59 units. Request for cancellation was received on 28 June 2022.

(CAN-2022-14)

Exploration Licence No. 9205 (Act 1992), BATOLE PTY LTD (ACN 002904949), County of Murray and County of St Vincent, Map Sheet (8827), area of 15 units. Request for cancellation was received on 22 June 2022.

REQUESTED CANCELLATIONS

Notice is given that the following authority has been cancelled:

(CAN-2022-15)

Exploration Licence No. 9165, BERGER EXCAVATIONS PTY LTD (ACN 002 750 049), County of Gough, Map Sheet (9238), area of 36 units. Cancellation took effect on 23 June 2022.

Biosecurity (Tomato Potato Psyllid) Control Order 2022

under the

Biosecurity Act 2015

I, SATENDRA KUMAR, Director Plant Biosecurity & Product Integrity, NSW Chief Plant Protection Officer, with the authorisation of the Minister administering the *Biosecurity Act 2015* and under section 62 of that Act make the following control order.

Dated 29th day of June 2022



SATENDRA KUMAR

Director Plant Biosecurity & Product Integrity, NSW Chief Plant Protection Officer
Department of Primary Industries
Department of Regional NSW

Part 1 Preliminary

1 Name of Control Order

This Control Order is the *Biosecurity (Tomato Potato Psyllid) Control Order 2022*.

2 Commencement and duration

This control order commences on 1 July 2022 and has effect until 30 June 2027.

Note. Notice of this control order will be given by publishing it in the Gazette and on the Department's website.

3 Definitions

(1) In this Control Order:

APVMA means the Australian Pesticides and Veterinary Medicines Authority.

area freedom certificate means a biosecurity certificate or interstate biosecurity certificate currently in force certifying that a State or Territory is free of the pest, tomato potato psyllid.

CA-14 means the certification assurance scheme procedure with number CA-14 and titled *Pest Free Production Site – TPP/CLso (Trandos Hydroponic Growers)*, version 1.0 and dated 7 February 2018.

CA-15 means the certification assurance scheme procedure with number CA-15 and titled *Pack-House Washing and Inspection of Tomatoes without leaves, calyx or other attached green material for Tomato-Potato Psyllid*, version 1.1 and dated 15 February 2019.

certification assurance arrangement means a Certification Assurance or Interstate Certification Assurance Scheme that enables a biosecurity certifier or a person authorised under a corresponding law to issue a plant health assurance certificate that meets certain plant health quarantine conditions for trade within the State, or between the State and other States or Territories.

Convolvulaceae host material means any plant belonging to the Convolvulaceae family.

cut flowers means any cut flower or foliage from the Plantae kingdom excluding from the Convolvulaceae and Solanaceae families.

excluded material means:

- (a) fruit or vegetables that do not have any leaves, green calyx or other green plant material attached to them,
- (b) harvested grain, and
- (c) seeds.

Note. Strawberry fruit are not excluded material because they have a large green calyx.

ICA-60 means the Interstate Certification Assurance Scheme procedure with the number ICA-60 and titled *Inspection of Strawberry Fruit for Tomato-Potato Psyllid*, version 1.0 and dated 21 July 2017.

ICA-61 means the Interstate Certification Assurance Scheme procedure with the number ICA-61 and titled *Pack-House Washing and Inspection of Tomato-Potato Psyllid Carrier Produce*, version 1.3 and dated 27 February 2020.

ICA-62 means the Interstate Certification Assurance Scheme procedure with the number ICA-62 and titled *Treatment and Inspection of Carrier Nursery Stock for Tomato-Potato Psyllid*, version 1.0 and dated 21 September 2017.

ICA-64 means the Interstate Certification Assurance Scheme procedure with the number ICA-64 and titled *Post-Harvest Treatment of Cut Flowers for Tomato-Potato Psyllid*, version 1.0 and dated 10 May 2018.

ICA-65 means the Interstate Certification Assurance Scheme procedure with the number ICA-65 and titled *Fumigation of Cut Flowers with Ethyl Formate for Tomato-Potato Psyllid*, version 1.0 and dated 2 June 2021.

ICA-66 means the Interstate Certification Assurance Scheme procedure with the number ICA-66 and titled *Cleaning and Inspection of Used Agricultural and Horticultural Machinery and Equipment for Specified Pests*, version 1.0 and dated 1 April 2021.

methyl bromide rate means any of the rates set out in the first column of the table to this definition determined by the temperature set out in the corresponding column, where the reference to temperature is to the temperature inside the chamber where the treatment is carried out and is at normal atmospheric pressure.

Rate	Temperature
32g/m ³	At or above 21°C
40g/m ³	16°C to 20.9°C

48g/m ³	11°C to 15.9°C
56g/m ³	10°C to 10.9°C

nursery stock means any plant or planting material from the Plantae kingdom excluding from the *Convolvulaceae* and *Solanaceae* plant families.

packhouse means a building in which a TPP carrier that is a fruit or vegetable is sorted and packaged, and that is separate from the place where the TPP carrier was grown.

plant health assurance certificate means a biosecurity certificate or interstate biosecurity certificate issued in accordance with the requirements of a certification assurance arrangement.

plant health certificate means a biosecurity certificate or interstate biosecurity certificate that relates to plant biosecurity issued by an authorised officer under the Act or a corresponding law.

processed material means any TPP host material or TPP carrier that is a plant that has been processed in a manner that alters the form of the TPP host material or TPP carrier so that it is incapable of introducing tomato potato psyllid into the TPP Control Zone, including being processed by way of:

- (a) canning,
- (b) chopping,
- (c) cooking,
- (d) drying,
- (e) freezing,
- (f) juicing,
- (g) shredding, or
- (h) slicing.

Solanaceae host material means any plant belonging to the Solanaceae family.

tomato potato psyllid means all life stages of the pest insect *Bactericera cockerelli*, including egg, nymph and adult.

TPP carrier means:

- (a) any plant except for TPP host material, excluded material or processed material,
- (b) used equipment, or
- (c) a used covering.

TPP carrier produce means packhouse washed and packed fruit and vegetables with leaves, calyx or other attached green material excluding fruit and vegetables from the *Convolvulaceae* and *Solanaceae* plant families.

TPP host material means the following:

- (a) Convolvulaceae host material,
- (b) Solanaceae host material,

but does not include processed material or seeds.

TPP host nursery stock means any plant or planting material from the *Convolvulaceae* and *Solanaceae* plant families but does not include seeds, tubers or fruit.

the Act means the *Biosecurity Act 2015*.

the Regulation means the *Biosecurity Regulation 2017*.

used covering means a covering or packaging that has been in contact with TPP host material or a TPP carrier.

used equipment means any machinery or equipment that has been used in the cultivation, handling, harvesting, processing or packaging of TPP host material or a TPP carrier.

washing measure means any of the measures described in the first column of the table to this definition and that are carried out for the minimum time specified in the corresponding column of the table:

Washing measures	Minimum time
Hydro-cooled with continuously agitated water	20 minutes
Dipped in continuously agitated water containing a food grade surfactant at the quantities specified on the label for the surfactant	3 minutes
Washed with water on rotating roller bushes	30 seconds
Pressure washed in water under water nozzles with a water pressure above 200kPa (29 psi)	20 seconds

- (2) Words and expressions that occur in this Control Order have the same meaning as they have in the Regulation, unless otherwise defined in this Control Order.

Note. Pursuant to section 11 of the *Interpretation Act 1987* words or expressions used in this Control Order have the same meaning as in the *Biosecurity Act 2015*.

4 Grounds for order and biosecurity impact

The basis for concluding that it is necessary to make this Control Order is as follows:

- (a) The introduction of tomato potato psyllid (the **biosecurity matter**) has the potential to have an adverse effect on the economy, the environment, and the community of New South Wales (the **biosecurity impact**).
- (b) In March 2017, tomato potato psyllid was detected in Western Australia. Tomato potato psyllid damages plants including potato, tomato, eggplant, and other vegetables. To date, New South Wales remains free of tomato potato psyllid.
- (c) Control measures are required to prevent the introduction of tomato potato psyllid in New South Wales.

5 Control zone

The control zone in which control measures are required to be implemented under this control order is the whole of New South Wales (**TPP Control Zone**).

6 Persons to whom control measures apply

The class of persons to whom the control measures apply are all persons who move, or cause the movement of, a TPP carrier or TPP host material into the TPP Control Zone.

Part 2 Control measures – TPP host material and TPP carriers

7 Control measure – TPP host material and TPP carriers

A person must not move, or cause the movement of, a TPP carrier or TPP host material into the TPP Control Zone unless the person complies with the control measures that apply with respect to the movement of that TPP carrier or TPP host material.

Part 3 Control measures – TPP host material

8 Control measure – TPP host material

A person may move, or cause the movement of TPP host material into the TPP Control Zone if:

- (a) it was grown and packed in a State or Territory that is free from tomato potato psyllid as evidenced by an area freedom certificate, and
- (b) the consignment that contains the TPP host material has a label or identifier stating the name and postcode of the city or town nearest to the place the TPP host material was both grown and packed.
- (c) despite subclauses (a) and (b), a person may move, or cause the movement of, TPP host material into the TPP Control Zone if the person complies with clause 9 to 12 below.

Note. Under clause 112 of the Regulation a person who is required to label or identify any matter, must ensure that the label or identifier is a complying label or complying identifier.

9 Control measure – Solanaceae host material that is fruit

- (1) A person may move, or cause the movement of, Solanaceae host material that is fruit from a Solanaceae plant into the TPP Control Zone if the person complies with the requirements of this clause.
- (2) The fruit has been treated with either insecticide or methyl bromide in accordance with the following:
 - (a) **Insecticide:**
 - (i) Before the fruit was picked, the plant on which the fruit was grown was treated with insecticide that is effective against tomato potato psyllid in accordance with APVMA label directions and permit conditions, and
 - (ii) the consignment of which the fruit is part has been inspected at the greater of these quantities and found to be free of tomato potato psyllid:
 - (A) 2 percent of any consignment of fruit, or
 - (B) 600 items of fruit, or
 - (b) **Methyl bromide:** the fruit was treated by fumigation with methyl bromide for two hours at one of the methyl bromide rates.
- (3) Immediately after treatment with a method specified in subclause (2) and until the fruit arrives in the TPP Control Zone, the fruit is kept in a manner which prevents infestation of tomato potato psyllid.
- (4) The consignment containing the fruit must be accompanied by a plant health certificate certifying that the control measures in subclauses (2) to (3) have been satisfied.

10 Control measure – TPP carriers that are tomato fruit with no leaves, calyx or other attached green material

- (1) A person may move, or cause the movement of, TPP carriers that are tomato fruit with no leaves, calyx or other attached green material into the TPP Control Zone if:
 - (a) the tomato fruit has been washed using a washing measure,
 - (b) the consignment of which the tomato fruit is part has been inspected at the greater of these quantities and found to be free of tomato potato psyllid:
 - (i) 2 percent of the consignment, or
 - (ii) 600 items of tomato fruit, and
- (2) The consignment of which the tomato fruit is part must be accompanied by a:

- (a) plant health certificate certifying that subclauses (1)(a) and (b) have been met, or
- (b) plant health assurance certificate certifying that the requirements of CA-15 have been satisfied.

11 Control measure – Solanaceae and Convolvulaceae host material that is a tuber

A person may move, or cause the movement of, Solanaceae host material and Convolvulaceae host material that is a tuber into the TPP Control Zone if the tuber does not have green plant material attached to it.

Note. A person must not move any other Solanaceae host material (including tubers with green material attached) or Convolvulaceae host material into the TPP Control Zone unless it is grown in a State or Territory for which an area freedom certificate is currently in force, and the person complies with clause 8 of this Control Order.

12 Control measure – TPP host nursery stock

A business accredited under CA-14 may move, or cause the movement of, TPP host nursery stock into the TPP Control Zone if:

- (a) the TPP host nursery stock is dealt with in accordance with CA-14, and
- (b) the consignment of which the TPP host nursery stock is part is accompanied by a plant health assurance certificate certifying that the requirements of CA-14 have been satisfied.

Part 4 Control measures – TPP carriers

13 Control measure – TPP carriers

A person may move, or cause the movement of, a TPP carrier into the TPP Control Zone if:

- (a) the TPP carrier was both grown and packed or, in the case of a carrier that is used equipment or a used covering and was used, in a State or Territory that is free from tomato potato psyllid as evidenced by an area freedom certificate,
- (b) except in the case of a used covering or used equipment, the consignment that contains the TPP carrier has a label or identifier stating the name and postcode of the city or town nearest to the place the TPP carrier was both grown and packed, and
- (c) despite subclauses (a) and (b), a person may also move, or cause the movement of, a TPP carrier into the TPP Control Zone if the person complies with clauses 14 to 18 below.

14 Control measure – TPP carriers that are plants, including nursery stock

- (1) A person may move, or cause the movement of, a TPP carrier that is a plant into the TPP Control Zone if the person complies with the requirements of this clause.
- (2) The plant has been treated with either insecticide or methyl bromide in accordance with the following:
 - (a) **Insecticide:**
 - (i) the plant was treated with insecticide that is effective against adult tomato potato psyllid in accordance with APVMA label directions and permit conditions, and
 - (ii) the consignment of which the plant is part has been inspected at the greater of these quantities and found to be free of tomato potato psyllid:

- (A) 2 percent of any consignment of plants, or
- (B) 600 plants, or
- (b) **Methyl bromide:** the plant was treated by fumigation with methyl bromide for two hours at one of the methyl bromide rates.
- (3) Immediately after treatment with a method specified in subclause (2) and until the plant arrives in the TPP Control Zone, the plant is kept in a manner which prevents infestation of tomato potato psyllid.
- (4) The consignment containing the plants must be accompanied by a plant health certificate certifying that the control measures in subclauses (2) and (3) have been satisfied.
- (5) Despite subclauses (1) to (4), a business accredited under ICA-62 may move, or cause the movement of TPP carriers that are nursery stock into the TPP Control Zone if:
 - (a) the nursery stock is dealt with in accordance with ICA-62, and
 - (b) the consignment of which the nursery stock is part is accompanied by a plant health assurance certificate certifying that the requirements of ICA-62 have been satisfied.

15 Control measure – TPP carriers that are strawberry fruit

- (1) A person may move, or cause the movement of, TPP carriers that are strawberry fruit into the TPP Control Zone if:
 - (a) the strawberry fruit is packed in a packhouse, and
 - (b) the consignment of which the strawberry fruit is part has been inspected at the greater of these quantities and found to be free of tomato potato psyllid:
 - (i) 2 percent of the consignment, or
 - (ii) 600 items of strawberry fruit, and
 - (c) the strawberry fruit is packed in a manner which prevents infestation of tomato potato psyllid.
- (2) The consignment of which the strawberry fruit is part must be kept in a manner that prevents infestation of tomato potato psyllid until it is moved into the TPP Control Zone.
- (3) The consignment of which the strawberry fruit is part must be accompanied by a plant health certificate certifying that the control measures in subclauses (1) and (2) have been satisfied.
- (4) Despite subclauses (1) to (3), a business accredited under ICA-60, may move, or cause the movement of, TPP carriers that are strawberry fruit into the TPP Control Zone if:
 - (a) the strawberry fruit is dealt with in accordance with ICA-60, and
 - (b) the consignment of which the strawberry fruit is part is accompanied by a plant health assurance certificate certifying that the requirements of ICA-60 have been met.

16 Control measure – TPP carriers that are cut flowers

- (1) A person may move, or cause the movement of, TPP carriers that are cut flowers into the TPP Control Zone if the person complies with the requirements of this clause.
- (2) The cut flowers have been treated with either insecticide or methyl bromide in accordance with the following:

- (a) **Insecticide:** the cut flowers were treated with insecticide that is effective against adult tomato potato psyllid in accordance with APVMA label directions and permit conditions, and
 - (b) **Methyl bromide:** the cut flowers were treated by fumigation with methyl bromide for two hours at one of the methyl bromide rates.
- (3) Immediately after treatment with a method specified in subclause (2) and until the cut flowers arrive in the TPP Control Zone, the cut flowers are kept in a manner which prevents infestation of tomato potato psyllid.
 - (4) The consignment containing the cut flowers must be accompanied by a plant health certificate certifying that the control measures in subclauses (2) and (3) have been satisfied.
 - (5) Despite subclauses (1) to (4), a business accredited under ICA-64 may move or cause the movement of TPP carriers that are cut flowers into the TPP Control Zone if:
 - (a) the cut flowers are dealt with in accordance with ICA-64, and
 - (b) the consignment of cut flowers must be accompanied by a plant health assurance certificate certifying that the requirements of ICA-64 have been satisfied.
 - (6) Despite subclauses (1) to (5), a business accredited under ICA-65 may move or cause the movement of TPP carriers that are cut flowers into the TPP Control Zone if:
 - (a) the cut flowers are dealt with in accordance with ICA-65, and
 - (b) the consignment containing the cut flowers is accompanied by a plant health assurance certificate certifying that the requirements of ICA-65 have been satisfied.

17 Control measure – TPP carrier produce and TPP carriers that are fruit or vegetables with leaves, green calyx or other green plant material

- (1) A person may move, or cause the movement of, TPP carriers that are fruit or vegetables with leaves, green calyx or other green plant material, but not including strawberry fruit, into the TPP Control Zone if:
 - (a) the fruit or vegetables are packed in a packhouse,
 - (b) the fruit or vegetables are washed in accordance with a washing measure,
 - (c) the consignment of which the fruit or vegetables are part has been inspected at the greater of these quantities and found to be free of tomato potato psyllid:
 - (i) 2 percent of the consignment, or
 - (ii) 600 items of fruit or vegetables, and
 - (d) immediately after washing and until the fruit or vegetables arrive in the TPP Control Zone, the fruit or vegetables are kept in a manner which prevents infestation of tomato potato psyllid.
- (2) The consignment of which the fruit or vegetables are part must be accompanied by a plant health certificate certifying that the control measures in subclause (1) have been satisfied.
- (3) Despite subclauses (1) and (2), a business accredited under ICA-61 may move, or cause the movement of, TPP carrier produce into the TPP Control Zone if:
 - (a) the TPP carrier produce is dealt with in accordance with ICA-61, and
 - (b) the consignment of which the TPP carrier produce is part is accompanied by a plant health assurance certificate certifying that the requirements of ICA-61 have been satisfied.

18 Control measure – TPP carriers that are used equipment or used coverings

- (1) A person may move, or cause the movement of, a TPP carrier that is used equipment or a used covering into the TPP Control Zone if:
 - (a) the used equipment or used covering has been thoroughly cleaned and is free from all planting media, organic material, and tomato potato psyllid, and
 - (b) any used equipment or covering has been washed with high pressure water heated to a temperature of at least 70°C.
- (2) The consignment of which the used equipment or used covering is part must be accompanied by a plant health certificate certifying that subclause (1) has been satisfied.
- (3) Despite subclauses (1) and (2), a business accredited under ICA-66 may move or cause the movement of a TPP carrier that is used equipment into the TPP Control Zone if:
 - (a) the used equipment is dealt with in accordance with ICA-66, and
 - (b) the used equipment is accompanied by a plant health assurance certificate, certifying that the requirements of ICA-66 have been met.