

# Government Gazette

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NEW SOUTH WALES

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## CONTROL (RED IMPORTED FIRE ANT) ORDER 2014

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, ANDREW SANGER, Director Invasive Plants and Animals, with the powers the Minister has delegated to me under section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* and in pursuance of section 27L of that Act, make the following Order.

Dated this 15th day of December 2014

ANDREW SANGER  
Director Invasive Plants and Animals  
Department of Primary Industries  
(an office within the Department of Trade and Investment,  
Regional Infrastructure and Services)

### 1 Name of Order

This Order is the *Control (Red Imported Fire Ant) Order 2014*.

### 2 Commencement

This Order commences on the day on which it is signed.

### 3 Definitions

**containerised plant** means any plant with soil attached, whether in a container or not.

**Port Botany Control Area** means the area declared to be a control area, pursuant to section 27K of the Act, in the *Control Area (Red Imported Fire Ant) Order 2014* dated 11 December 2014.

**Red imported fire ant** means the emergency animal pest *Solenopsis invicta*.

**RIFA host material** means any bark, containerised plant, grass, hay, manure, organic plant mulch, soil, straw, turf or wood chip.

**RIFA machinery** means any vehicle, equipment or other mechanical apparatus of any kind that has been used in relation to agriculture, earthmoving, excavation or for otherwise moving or disturbing soil.

**RIFA nest material** means any material including soil, turf, grass or other organic matter that has or appears to have been part of a nest or mound built by Red imported fire ants.

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

**the Act** means the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*.

**turf** includes any grass sod with soil attached.

#### 4 Prohibited Movements

Pursuant to section 27L (1) (a) of the Act, the movement of any:

- (a) Red imported fire ants,
- (b) RIFA nest material,
- (c) any thing that has on or in it any Red imported fire ants or RIFA nest material

into, within or out of the Control Area is prohibited.

#### 5 Controlled Movements

(1) Pursuant to section 27L (1) (a) of the Act, the movement of any RIFA Host material out of the Control Area is prohibited unless:

- (a) the RIFA host material has been in the Control Area for less than 5 days; or
- (b) the RIFA host material is used only for domestic purposes and has been treated in accordance with a relevant approved treatment measure specified in Schedule 1; or
- (c) the RIFA host material is moved under the authority of a permit issued under the Act.

(2) Pursuant to section 27L (1) (a) of the Act, the movement of any RIFA machinery out of the Control Area is prohibited unless:

- (a) the RIFA machinery has been in the Control Area for less than 5 days; or
- (b) the RIFA machinery is moved under the authority of a permit issued under the Act.

**Note:** If any thing has RIFA Host Material on it or in it, that thing cannot be moved out of the Control Area unless it is completely cleaned of RIFA Host Material or the RIFA Host Material is moved in accordance with this clause.

### SCHEDULE 1 – APPROVED TREATMENT MEASURES

#### 1 Re-potted with new potting media

Any containerised plant treated by removing all soil from the plant and re-potting it within 48 hours prior to movement using commercial soil from a package that remains sealed until immediately prior to the re-potting.

#### 2 Drenching with chlorpyrifos or cyfluthrin

Any containerised plant treated by:

- (a) drenching with or complete immersion in a solution containing 500 g/L chlorpyrifos within 28 days prior to movement ensuring that:
  - (i) the plant is not removed from its containers prior to treatment; and
  - (ii) the soil or potting media is thoroughly saturated with the treatment solution; and
  - (iii) the container is immersed so that the soil or potting media is completely covered by the treatment solution; and
  - (iv) the container remains in the solution until all bubbling ceases; and
  - (v) the dip mixture is replaced after a maximum of 8 hours; or
- (b) drenching with a solution containing 12.5 g/L cyfluthrin

#### 3 Cover spraying with chlorpyrifos

Turf treated within 28 days prior to movement by cover spraying with a solution containing 500 g/L chlorpyrifos.

#### 4 Heat treatment

Bark, hay, organic plant mulch, straw, soil, sugar cane bagasse or woodchips heat treated so that all parts of the mass have been brought to a minimum temperature of 65.5°C.

#### 5 Methyl bromide fumigation

Hay bales or straw bales fumigated with a fumigant containing 1000 g/kg methyl bromide.

**CONTROL AREA (RED IMPORTED FIRE ANT) ORDER 2014**

under the

Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991

I, ANDREW SANGER, Director Invasive Plants and Animals, with the powers the Minister has delegated to me under section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* and in pursuance of section 27K of that Act, being of the opinion that it is reasonably necessary for the purpose of preventing the spread of the emergency animal pest, Red imported fire ant (*Solenopsis invicta*), make the following Order.

Dated this 11th day of December 2014

ANDREW SANGER  
 Director Invasive Plants and Animals  
 Department of Primary Industries  
 (an office within the Department of Trade and Investment,  
 Regional Infrastructure and Services)

**1 Name of Order**

This Order is the *Control Area (Red Imported Fire Ant) Order 2014*.

**2 Commencement**

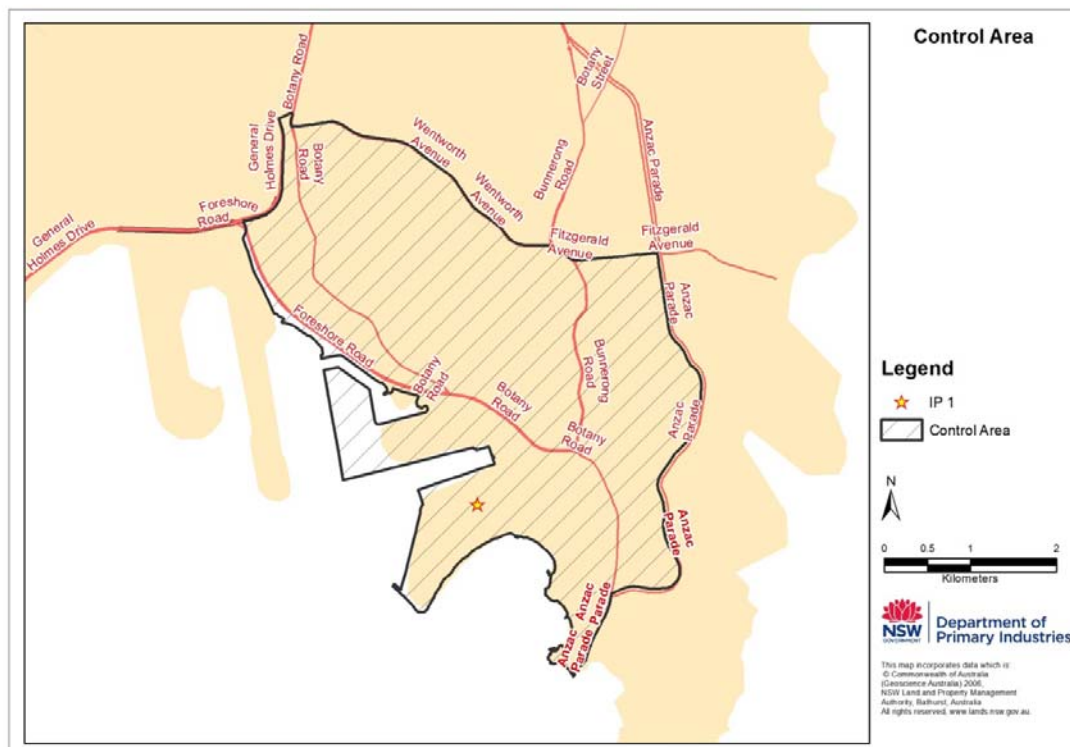
This Order commences on the date on which it is signed.

**3 Declaration of Control Area**

- (1) The area described in Schedule 1 which is within the State of New South Wales, is declared to be a control area.
- (2) The map in Schedule 2 is for information purposes and does not limit the description of the area in Schedule 1.

**SCHEDULE 1—CONTROL AREA**

That area bounded by a line from the bridge onto Bare Island La Perouse running generally northerly along the north bound lane of Anzac parade to its intersection with Fitzgerald Avenue then generally westerly along Fitzgerald Avenue to its intersection with Bunnerong road then generally north westerly along the south bound lane of Bunnerong road to its intersection with Wentworth Avenue then generally westerly along the east bound lane of Wentworth Avenue to its intersection with Botany road then northerly along Botany road to its intersection with General Holmes drive the generally southerly along the south bound lane of General Holmes drive to its intersection with Foreshore road then south easterly along Foreshore road to the bridge over the Mill Pond then generally south easterly along the Mill Pond channel to Botany bay then generally south easterly along the Botany bay foreshore (including all man made structures protruding above the high water mark) to the bridge onto Bare Island.

**SCHEDULE 2—MAP OF CONTROL AREA**

**ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991**

Section 28

Importation Order – Abalone (No 11)

I, JULIET ANNE CORISH, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me pursuant to section 67 of the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* ('the Act'):

1. Pursuant to section 28 of the Act on the basis that I reasonably suspect an area outside New South Wales to be infected with the emergency animal disease Abalone viral ganglioneuritis, prohibit the entry or importation into New South Wales of:
  - (a) live abalone taken from Tasmanian State waters or originating in Tasmania except as described in Schedule 1;
  - (b) fittings used in connection with abalone described in paragraph 1 (a) unless such fittings have been cleaned and disinfected to remove traces of abalone or abalone product;
  - (c) live abalone taken from Victorian State waters or originating in Victoria except:
    - (i) live abalone from a Victorian abalone farm that is transported directly into New South Wales from that abalone farm and not via an abalone processor outside New South Wales; or
    - (ii) live abalone taken from the Victorian eastern abalone zone which is transported directly to the Abalone Fishermen's Co-operative Limited, 1 Commercial Road Mallacoota, Victoria and then transported directly into New South Wales;
  - (d) fittings used in connection with abalone described in paragraph 1 (c) unless such fittings have been cleaned and disinfected to remove any traces of abalone or abalone product.
  - (e) live abalone that have been in contact with any:
    - (i) water that has held; or
    - (ii) fittings that have previously been used in connection with; live abalone described in paragraph 1 (a) or 1 (c) unless such fittings had been cleaned and disinfected to remove any traces of abalone or abalone product.

**Definitions**

In this Importation Order

“*abalone*” means fish of the genus *Haliotis*.

“*abalone product*” has the same meaning as “*animal product*” in the Act and includes abalone offal, gut, mucus or shells.

“*abalone farm*” means a premises that undertakes abalone aquaculture.

“*certified biosecure area*” means an area that has been annually inspected and certified as being biosecure by the Tasmanian Department of Primary Industries, Parks, Water and Environment.

“*fittings*” has the same meaning as in the Act.

“*Tasmanian State waters*” means State waters as defined by the *Living Marine Resources Management Act 1995* (Tasmania).

“*Victorian eastern abalone zone*” means all Victorian State waters east of longitude 148° East.

“*Victorian State waters*” means Victorian waters as defined by the *Fisheries Act 1995* (Victoria).

SCHEDULE 1

Live abalone taken from Tasmanian State waters or originating in Tasmania

1. Live abalone that:
  - (a) is from a Tasmanian abalone farm that:
    - (i) is not within three kilometres by water of an abalone processor; and
    - (ii) has complied with the requirements of the accreditation program described in Schedule 2;
  - (b) has not been in contact with live abalone from any other location;
  - (c) is transported into New South Wales:
    - (i) directly from that abalone farm and not via an abalone processor outside New South Wales; or
    - (ii) from that abalone farm in sealed boxes via the certified biosecure area of an abalone processor;
  - (d) is transported in new Styrofoam boxes and accompanied by the documents described in paragraph 2 of this Schedule.
2. All consignments of live abalone must be accompanied by:
  - (a) a declaration form provided by NSW Department of Primary Industries and signed by the owner/manager of the Tasmanian abalone farm declaring that the importation conditions in this Schedule have been met (a copy of the signed declaration must be faxed/emailed to NSW Department of Primary Industries); and

- (b) a copy of the NSW Department of Primary Industries factsheet “General hygiene to prevent spread of abalone disease” available at [http://www.dpi.nsw.gov.au/responses/avg2011/abalone-hygiene/\\_recache](http://www.dpi.nsw.gov.au/responses/avg2011/abalone-hygiene/_recache)

### SCHEDULE 2

#### Accreditation program

1. The accreditation program requires the abalone farm to undertake a surveillance and testing program where:
  - (a) the abalone farm has submitted samples, within the last six months, to a government laboratory to detect infection using a 2-stage sampling procedure in accordance with the table in Schedule 3 and all samples are tested negative for Abalone viral ganglioneuritis by Polymerase Chain Reaction test;
  - OR
  - (b) (i) the abalone farm has submitted samples to a government laboratory to detect infection using a 2-stage sampling procedure in accordance with the table in Schedule 3 and all samples were tested negative for Abalone viral ganglioneuritis by Polymerase Chain Reaction test; and
  - (b) (ii) within 6 weeks of receiving the tests under paragraph (b)(i), the abalone farm must maintain a sentinel population of 30 or more susceptible abalone within an area of the farm that receives discharge water from all tanks holding live abalone on the farm. Where the sentinel abalone population cannot be placed in a single common area to receive discharge from all tanks, multiple sentinel abalone populations must be used; and
  - (b) (iii) the abalone farm must check each sentinel population daily and submit any moribund abalone to a government laboratory to detect infection with all abalone testing negative for Abalone viral ganglioneuritis by Polymerase Chain Reaction test. The abalone farm must replace any moribund abalone if required to maintain a sentinel population of 30 or more; and
  - (b) (iv) every six months the abalone farm must submit all abalone within the sentinel population to a government laboratory to detect infection with all abalone testing negative for Abalone viral ganglioneuritis by Polymerase Chain Reaction test; and
  - (b) (v) the abalone farm must maintain accurate records of all abalone removed from the sentinel population for testing purposes and provide these records for examination during audits of compliance.
2. The accreditation program requires the abalone farm to have written evidence of two satisfactory audits of compliance in accordance with the Tasmanian Department of Primary Industries, Parks, Water and Environment abalone farm biosecurity program (including no introductions of abalone stock except from equivalent abalone farms of equivalent status and twice yearly inspection by the Tasmanian Department of Primary Industries, Parks, Water and Environment); and
3. The accreditation program requires the abalone farm to have written evidence that all unusual abalone mortality events have been reported to the Tasmanian Department of Primary Industries, Parks, Water and Environment, any investigation has been completed and the abalone concerned have been tested negative by a Tasmanian government laboratory for Abalone viral ganglioneuritis by Polymerase Chain Reaction test;

*(Note advice on sampling requirements should be obtained from the Tasmanian Department of Primary Industries, Parks, Water and Environment)*

### SCHEDULE 3

#### 2 Stage Sampling Procedure

<i>No of grow-out tanks on farm</i>	<i>No of tanks to sample</i>	<i>No Abalone sampled per tank</i>
22 or fewer	All	95
23	23	58
24	24	46
25	25	38
26	26	33
27	27	30
28	28	27
29	29	25
30	30	22
31	31	19
32	32	18
33	33	17

34	34	16
36	36	14
37	37	13
38	38	12
39	39	11
41	41	10
43	43	9
45	45	8
46	46	7
47	47	6
48 or more	48	5

This Importation Order remains in force for a period of 30 days commencing on the date it is signed, unless revoked or extended by notice published in the Gazette.

Dated this 15th day of December 2014

JULIET ANNE CORISH  
Deputy Chief Veterinary Officer

By Authority

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