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# Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses

**This version of the Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses is current as at**

**23 October, 2024**

**You should note that this Deed can be varied with the approval of all the Parties (see clause 17). Please contact Plant Health Australia to confirm whether this document is the most current version before relying on the information contained in it.**

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## PARTIES

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**The State of Queensland** (acting through its Department of Agriculture and Fisheries ABN 66 934 348 189) of 41 George Street, Brisbane QLD 4000

**The State of New South Wales** (acting through its Department of Primary Industries ABN 72 189 919 072) of 105 Prince Street, Orange NSW 2800

**The State of Victoria** (acting through its Department of Energy, Environment and Climate Action ABN 83 295 188 244) of 8 Nicholson St, Melbourne VIC 3000

**The State of South Australia** (acting through its Department of Primary Industries and Regions ABN 53 763 159 658) of Grenfell Centre, 25 Grenfell Street, Adelaide SA 5001

**The State of Tasmania** (acting through its Department of Natural Resources and Environment ABN 58 259 330 901) of 1 Franklin Wharf, Hobart TAS 7001

**The State of Western Australia** (acting through the Department of Primary Industries and Regional Development ABN 18 951 343 745) of 3 Baron-Hay Court, South Perth WA 6151

**The Northern Territory of Australia** (acting through its Department of Industry, Tourism and Trade ABN 84 085 734 992) of Berrimah Farm Science Precinct, Makagon Road, Berrimah NT 0828

**The Australian Capital Territory** (acting through its Environment, Planning and Sustainable Development Directorate ABN 31 432 729 493) of 480 Northbourne Avenue Dickson, ACT 2602

**Almond Board of Australia Inc.** (ABN 31 709 079 099)

**Apple and Pear Australia Ltd.** (ACN 101 551 348)

**Australian Banana Growers' Council Inc.** (ABN 60 381 740 734)

**Australian Cane Growers' Council Ltd.** (ABN 26 051 583 549)

**Australian Forest Products Association Ltd.** (ABN 40 008 621 510)

**Australian Ginger Industry Association Inc.** (ABN 97 981 376 529)

**Australian Grape and Wine Inc.** (ABN 45 903 873 163)

**Australian Honey Bee Industry Council Inc.** (ABN 63 939 614 424)

**Australian Lychee Growers Association Inc.** (ABN 45 591 381 594)

**Australian Macadamia Society Ltd.** (ABN 19 010 689 415)

**Australian Mango Industry Association Ltd.** (ABN 50 713 775 301)

**Australian Melon Association Inc.** (ABN 36 990 325 012)

**Australian Olive Association Ltd.** (ABN 57 072 977 489)

**Australian Processing Tomato Research Council Inc.** (ABN 33 014 204 969)

**Australian Sweetpotato Growers Inc.** (ABN 82 577 850 667)

**Australian Table Grape Association Inc.** (ABN 69 953 034 946)

**Australian Tea Tree Industry Association Ltd.** (ABN 48 077 019 204)

**Australian Truffle Industry Association Inc.** (ABN 57 816 021 891)

**Australian Walnut Industry Association Inc.** (ABN 26 468 336 213)

**AUSVEG Ltd.** (ABN 25 107 507 559)

**Avocados Australia Ltd.** (ABN 87 105 853 807)

**Canned Fruit Industry Council of Australia Ltd.** (ACN 051 989 336)

**Cherry Growers of Australia Inc.** (ABN 77 797 945 686)

**Chestnuts Australia Inc.** (ABN 11 727 740 190)

**Citrus Australia Ltd.** (ABN 75 130 238 792)

**Cotton Australia Ltd.** (ABN 24 054 122 879)

**Dried Fruits Australia Inc.** (ABN 88 658 293 079)

**Grain Producers Australia Ltd.** (ABN 66 675 415 182)

**Greenlife Industry Australia Ltd.** (ABN 59 634 584 017)

**Hazelnut Growers of Australia Inc.**

**Passionfruit Australia Inc.** (ABN 98 212 907 857)

**Pistachio Growers Association Inc.** (ABN 24 020 078 504)

**Queensland Fruit and Vegetable Growers Ltd. (Growcom)** (ABN 51 090 816 827)

**Raspberries and Blackberries Australia** (ABN 42 861 675 811)

**Ricegrowers' Association of Australia Inc.** (ABN 65 191 537 636)

**Strawberries Australia Inc.** (ABN 53 635 363 679)

**Summerfruit Australia Ltd.** (ABN 51 105 962 196)

## BACKGROUND

A. The Parties wish to establish a mechanism to facilitate the making of rapid responses to, and the control and eradication of, Emergency Plant Pests (**EPPs**) including:

(a) facilitating immediate reporting of suspected EPPs by providing financial disincentives for any failure to report;

(b) facilitating an early and comprehensive response to an EPP, in order to define the nature of the EPP and eradicate it;

(c) providing to parties which fund a response to an EPP a role in decision making about the response and its funding;

(d) defining funding responsibilities up to certain limits for each EPP including providing a framework wherein:

(i) the beneficiaries of the eradication of an EPP pay an appropriate and equitable proportion of the costs of mounting a response;

(ii) no one person or organisation is made better or worse off[1] as a result of reporting an Incident or suspected Incident; and

(iii) there is appropriate accountability by each Party to all of the Parties which fund a response to an EPP.

B. The Parties wish to establish that mechanism in the manner set out in this Deed having regard to agreed principles for proportional funding and an agreed framework for Cost Sharing. In so doing, the Parties acknowledge:

(a) the responsibilities of the State and Territory agencies in managing the eradication of EPPs within their jurisdictions;

(b) the need for goodwill and cooperation between all Parties in the operation of the mechanism; and

(c) the fact that it is not intended that Cost Sharing principles apply to consequential loss suffered by a Party.

[1] A person or organisation will be no better or worse off as a consequence of reporting an Incident when compared to other persons or organisations affected by the Incident or the Response Plan.

## OPERATIVE PROVISIONS

### 1 INTERPRETATION

1.1 **Definitions**

In this Deed, unless the contrary intention appears:

**Affected** means:

(a) In respect of Government Parties:

(i) In relation to an EPP:

A. the Australian Government;

B. the State and Territory governments in the territory of which the EPP may arise; and

C. the State and Territory governments that may be required to contribute to Shared Costs if the EPP arises in another territory.

(ii) In relation to a Response Plan:

A. the Australian Government;

B. the State and Territory governments in the territory of which the Response Plan will be conducted; and

C. the State and Territory governments that may be required to contribute to Shared Costs if the Response Plan is conducted in another territory.

(iii) In relation to ORCs in the absence of a Response Plan: the Government Parties that would be considered to be 'Affected' by the EPP(s) that is/are the subject of the Incident or outbreak.

(b) In respect of Industry Parties:

(i) In relation to an EPP:

A. that is a Plant Pest: the Industry Parties whose members' Crops are or may be affected by the Plant Pest; or

B. that is a Vector: the Industry Parties whose members' Crops are or may be affected by both the Vector and the Plant Pest which together form a known Complex; or

C. that is both a Plant Pest and a Vector: the Industry Parties identified under paragraphs (b)(i)A and (b)(i)B.

(ii) In relation to a Response Plan: the Industry Parties that are considered to be 'Affected' by the EPP(s) that is/are the subject of the Response Plan.

(iii) In relation to ORCs in the absence of a Response Plan: the Industry Parties that would be considered to be 'Affected' by the EPP(s) that is/are the subject of the Incident or outbreak.

For the avoidance of doubt, an Industry Party will not be 'Affected' if its members are or may suffer financial or other consequences from the implementation of a Response Plan but its members' Crops are not and will not be affected by the EPP for which the Response Plan is developed.

For the avoidance of doubt, an Industry Party is considered to be Affected by an Incident or an outbreak of an EPP relating to Bees if the Incident or outbreak will or may affect pollination of the Crops of the members of that Industry Party.

For the avoidance of doubt, an Industry Party is considered to be Affected by an Incident or an outbreak of an EPP in relation to a Fungus if the Incident or outbreak will or may affect the Fungus directly or will or may affect the host tree and this will or may in turn affect the Fungus.

**Agreed Limit** means the amount determined as set out in clauses 9.5.2 or 9.5.3, as it may be adjusted in accordance with clauses 9.8 and 9.9.

**Australian Chief Plant Protection Officer** or **ACPPO** means the individual holding the position of the Australian Chief Plant Protection Officer of the Commonwealth of Australia.

**Bees** means bees of a type commercially cultivated in Australia for the production of honey and/or provision of pollination services.

**Biosecurity** means a set of measures designed to protect a Crop, Crops or a sub-group of Crops from Plant Pests and Vectors at national, regional and individual farm levels.

**Categorisation Group** means the group convened according to Part 4 of Schedule 8 that will advise on the categorisation of Plant Pests and Vectors.

**Chief Plant Health Manager** or **CPHM** means the individual holding the position of Chief Plant Health Manager (or the equivalent role) of a State or Territory.

**Commencement Date** means the date determined in accordance with clause 2.1.2.

**Complex** means the combination of a Vector and:

(a) a Plant Pest that meets the definition of an EPP; or

(b) an established Plant Pest:

(i) that would meet the definition of an EPP other than for the fact that it is considered to be established in Australia; and

(ii) that was determined previously, by the NMG in accordance with this Deed, to not be feasible to eradicate.

**Confidential Information** means all know-how and commercially valuable or sensitive information (in whatever form) disclosed by a Party to one or more other Parties for the purposes of this Deed, but does not include information that:

(a) is already in the public domain or, after the date of this Deed, becomes part of the public domain otherwise than as a result of an unauthorised disclosure by the receiving Party or its representatives;

(b) is or becomes available to the receiving Party from a third party lawfully in possession of that information and which has the lawful power to disclose such information to the receiving Party on a non-confidential basis; or

(c) was in the lawful possession of the receiving Party without restrictions as to its use or was developed independently by the receiving Party (as shown by its written records or other evidence) prior to the date of disclosure to it under this Deed.

**Consensus** means, in respect of a decision to be taken on an issue, that none of those persons present when the decision is taken are opposed to it, although:

(a) persons present during the discussion may have expressed contrary views;

(b) achieving the consensus may have required a measure of compromise to ensure a workable outcome;

(c) some may abstain from participating in the decision; and

(d) some entitled to be present may not be present.

**Consultative Committee on Emergency Plant Pests** or **CCEPP** means the committee of technical representatives of the Parties convened according to Parts 2 and 3 of Schedule 8.

**Cost Sharing** is the process of proportional funding of Shared Costs by Government Parties and Industry Parties, as described in this Deed.

**Crop, Crops or sub-group of Crops** includes plants, plant products, forests and Fungi, and also includes Bees and their hives.

**Cropping Sector** means a Crop, Crops or a sub-group of Crops represented by an Industry Party. Any Cropping Sector represented by an Industry Party is deemed to be a national Cropping Sector.

**Department** means the Australian Government department responsible for the subject matter of this Deed.

**Efficiency Advocate** is a person appointed to assist with the implementation of a Response Plan in accordance with the requirements of this Deed and the agreed Response Plan. The intent is to provide assurance to the Parties that a Cost Shared response is being conducted as described in this Deed and the agreed Response Plan, and in an effective and efficient manner.

**Emergency Containment** means a set of measures (which may include the use of Quarantine) that are implemented by a Lead Agency in response to an Incident in order to try to:

(a) restrict an EPP (or a Plant Pest or a Vector reasonably believed to be an EPP) to a defined area; and

(b) preserve the opportunity for eradication of that EPP, Plant Pest or Vector.

**Emergency Plant Pest** or **EPP** means a Plant Pest or a Vector that is:

(a) included in Schedule 13; or

(b) otherwise determined by the NMG (on the advice of the CCEPP) to meet at least one of the following criteria:

(i) in respect of a Plant Pest:

A. is a known Plant Pest which has not previously been identified as present in Australia (or which has previously been eradicated from Australia), the economic consequences of an occurrence of which would be economically or otherwise harmful for Australia, and for which it is considered to be in the national interest to be free of the Plant Pest; or

B. is a variant form of an established Plant Pest which can be distinguished by appropriate investigative and diagnostic methods and which, if established in Australia, would have a national impact; or

C. is a newly identified Plant Pest of unknown or uncertain origin which is considered likely to have an adverse economic impact nationally if established in Australia; or

D. is a Plant Pest already found in Australia that:

1. is restricted to a defined area through the use of regulatory measures intended to prevent further spread of the pest out of the defined area or into an endangered area; and

2. has been detected outside the defined area; and

3. is not a native of Australia; and

4. is not the subject of any instrument for management which is agreed to be effective risk mitigation and management at a national level; and

5. is considered likely to have an adverse economic impact such that an emergency response is required to prevent an incident of national importance; or

(ii) in respect of a Vector:

A. it is a known Vector which has not previously been identified as present in Australia or has previously been eradicated from Australia; and

B. it forms a known Complex that, if established, would be economically or otherwise harmful for Australia; and

C. it is considered to be in the national interest to be free of that Complex.

**Emergency Plant Pest Strategy** is a published strategy for the management of one or more EPPs which is set out or referred to in Part 2 of Schedule 5.

**Emergency Response Phase** has the meaning given in clause 5.2.

**Farm Gate Value** means the value of produce produced on farm and sold at the first point of sale (e.g. the local silo for grain) less the estimated or actual transport costs from farm gate to first point of sale. For the purposes of this Deed, Farm Gate Value is the equivalent of LVP.

**Feral** means a plant that is not native to a location, that has escaped from cultivation or domestication and that can reproduce in the wild without human intervention. For the avoidance of doubt, Feral plants do not include weeds.

**Formal Notification to the CCEPP** occurs when a State or Territory CPHM notifies the Chair of the CCEPP, either orally or in writing, that an Incident has occurred within that State or Territory. Written notification must be used to confirm oral advice and must be in the form agreed from time to time by the Parties.

**Funding Weight** means, when there are two or more Affected Industry Parties, the proportional impact, expressed as a percentage of the total impact, of an EPP on each Affected Industry Party.

**Fungi** means truffles and mushrooms of a type which are commercially cultivated in Australia.

**Government Party** means any of the Commonwealth and the State and Territory Parties that are signatories to this Deed, and **Government Parties** means two or more of them, as determined by the context.

**Incident** means:

(a) a confirmed occurrence of, or reasonably held suspicion of the occurrence of, an EPP; or

(b) the occurrence of an uncategorised Plant Pest or Vector which is reasonably believed to be an EPP (not including circumstances in which an investigation comes to a provisional finding or diagnosis that the Plant Pest or Vector is already established in Australia).

**Incident Definition Phase** has the meaning given in clause 5.1.

**Industry Party** means any member of Plant Health Australia that both represents a Cropping Sector and is a signatory to this Deed, and **Industry Parties** means two or more of them, as determined by the context.

**Industry Party Delegate** means a person who represents an Affected Industry Party at an EPP control centre.

**Lead Agency** means the agency of a State or Territory responsible for leading the conduct of the response to an Incident within their State or Territory. For clarity, there may be more than one Lead Agency (each from a different State or Territory) for an Incident.

**Local Value of Production** or **LVP** means the annual Farm Gate Value of the Crop, Crops or sub-group (included in Part 3.3 of Schedule 6) of Crops represented by a particular Industry Party, as calculated at 1 July (each year) as an average taken over the most recent three year period, using:

(a) the Australian Bureau of Statistics (ABS) data for the most recent, and two preceding, years; or

(b) if ABS data is not available, the most recently published Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) data; or

(c) if the relevant data has not been published by either ABS or ABARES, a source of data determined by the Board of Plant Health Australia.

**Meeting** means participation in meetings which includes participation by:

(a) telephone;

(b) videoconference; or

(c) any other means of communication that the chair of the meeting determines to be suitable.

**National Emergency Plant Pest Management Group** or **NMG** means the group with the constitution and role set out in Part 1 of Schedule 8.

**National EPP Training Program** means the program delivered by Plant Health Australia to train people who may participate in activities under this Deed.

**Operative Date** has the meaning given in clause 2.1.1.

**ORCs in the absence of a Response Plan** means Owner Reimbursement Costs that the NMG has agreed to Cost Share in accordance with clause 9.1.2.

**Owner** means, as applicable:

(a) the owner(s) of a Crop, Crops or a sub-group of Crops;

(b) the owner(s) of a property;

(c) any person, other than a mortgagee not in possession, having or claiming any right, title or interest in a crop or a property; or

(d) the authorised representative(s) of any of the persons listed in paragraphs (a) to (c).

**Owner Reimbursement Costs** or **ORCs** has the meaning given in Part 4.4 of Schedule 6.

**Party** means an entity that:

(a) has executed this Deed, or has executed a Deed of Accession in accordance with clause 3; and

(b) has not withdrawn from or been removed from this Deed,

and **Parties** means two or more such entities, as determined by the context.

**Plant Health** means the health (including with respect to germination, growth and further reproduction) of living plants and parts thereof, including seeds and germplasm.

**Plant Pest** means any species, biotype or strain of invertebrate pest or pathogen that meets each of the following criteria:

(a) It is injurious to Plant Health, Unprocessed Plant Products, Bees or Fungi.

(b) It is discrete, identifiable and genetically stable.

(c) It is not a genetically modified organism.

**PLANTPLAN** means the Australian Emergency Plant Pest Response Plan, the most current version of which is referred to in Part 1 of Schedule 5.

**Proof of Freedom Phase** has the meaning given in clause 5.3.

**Proportional Share** means each Affected Party's maximum dollar share of an applicable Agreed Limit or Reimbursement Limit, determined as set out in clause 9.7, as applicable.

**Quarantine** means restraints on the activities that may be undertaken at an affected property, being restraints that are designed to prevent the spread of:

(a) an EPP; or

(b) a Plant Pest or a Vector that is reasonably believed to be an EPP.

Those restraints may include:

(c) restrictions on access to, and removal of materials from, an affected property; and

(d) movement controls on plants, plant products, people, machinery and other items.

**Reimbursement Limit** means the amount determined as set out in clause 9.6, as it may be adjusted in accordance with clauses 9.8 and 9.9.

**Relevant Parties** means, in respect of the taking of a decision or action:

(a) the Government Parties that may be affected by the decision or action; and

(b) the Industry Parties, the members of which may be affected by the decision or action.

**Representative** means a person who, or the person from time to time occupying a position that, a Party has notified Plant Health Australia, in writing, as being authorised to act on behalf of that Party in respect of an Incident, an EPP or a Response Plan. A Representative will be taken to be authorised to act on behalf of a Party in respect of all Incidents, EPPs and Response Plans unless the Party notifies Plant Health Australia of any limitations to that authorisation.

**Required Insurance** means those insurances specified in clause 28.

**Response Plan** means an integrated plan for undertaking a response to one or more EPPs that is:

(a) in accordance with Part 1 of Schedule 4, developed by one or more State or Territory CPHM(s), endorsed by the CCEPP and approved by the NMG; and

(b) subject to Cost Sharing in accordance with this Deed.

The Response Plan may include Emergency Containment actions so as to enable the payment of Owner Reimbursement Costs and Cost Sharing if considered appropriate by the CCEPP and approved by the NMG.

**Response Plan Completion Date** means the date the NMG makes a determination pursuant to clause 5.2.4(b)(i), 5.3.4(a), 5.3.4(b)(i), 5.3.4(c) or 5.4.4 which results in cessation of the Response Plan.

**Shared Costs** means those costs that are shared by the Parties as described in clause 9.

**Transition to Management** means the undertaking of activities to transition the management of an EPP from seeking to achieve eradication of the EPP under a Response Plan to management of the EPP outside of this Deed.

**Transition to Management Phase** has the meaning given in clause 5.4.

**Unanimous** means that all Parties or persons entitled to vote on an issue have voted in the same fashion in respect of that issue. **Unanimously** has a corresponding meaning.

**Unprocessed Plant Products** means unprocessed material of plant origin (including grain) and are products where the biosecurity risk remains unchanged. For the purposes of this definition, a plant product is not considered to have been processed as a consequence of it having been harvested, sorted, transported or stored if those processes have occurred whilst the product remains owned by the grower of the plants from which the product is produced.

**Upper Limit on Expenditure** has the meaning given in Part 2.1 of Schedule 10.

**Vector** means any species, biotype or strain of invertebrate pest that meets each of the following criteria:

(a) It carries and transmits a Plant Pest to a Crop.

(b) It is discrete, identifiable and genetically stable.

(c) It is not a genetically modified organism.

1.2 **Interpretation**

1.2.1 The principles set out in Schedule 1 will apply to the interpretation and application of this Deed, unless the context requires otherwise.

## 2 TERM OF THIS DEED

2.1 **Commencement Date, Operative Date and ending date**

2.1.1 This Deed commenced on 26 October, 2005 (**Operative Date**), and is legally enforceable from that date against:

(a) the Parties; and

(b) subject to clause 3, former Parties.

2.1.2 This Deed will commence, and will be legally enforceable in respect of its applicability to a particular EPP or Incident (**Commencement Date**), when the Deed has been executed by:

(a) Plant Health Australia;

(b) each of the Affected Government Parties; and

(c) all of the Industry Parties which are Affected Parties in respect of that particular EPP or Incident,

and will be binding in respect of all matters related to management of a particular EPP or Incident on all Parties which are signatories following that date.

2.1.3 This Deed will continue until the Parties agree to terminate the Deed in accordance with clause 17.2.

2.2 **Review**

2.2.1 The terms of this Deed will be reviewed by the Parties in light of experience of its operation. The review is to commence no more than five years from the Operative Date with subsequent reviews to commence each five years.

2.3 **Continuing provisions**

2.3.1 If this Deed has ended, either by termination, rescission or otherwise, the following provisions survive and the Parties will continue to be bound by them:

(a) clauses 3.3.1(a), 3.4.7, 3.5.3, 10, 12.1, 12.4, 17.3, 19, 20, 25, 27, 28 and 29; and

(b) such other provisions of this Deed as are necessary to give full force and effect to those clauses including (but not limited to) interpretational clauses and clauses containing definitions.

## 3 ADMISSION, WITHDRAWAL AND REMOVAL OF PARTIES AND REPRESENTATION OF A CROP, CROPS OR A SUB-GROUP OF CROPS

### 3.1 Application for Admission

3.1.1 A body that:

(a) is nationally representative of one or more Crops or sub-group of Crops; and

(b) is, or is becoming, a member of Plant Health Australia,

may, by application in writing to Plant Health Australia, apply to become an Industry Party to this Deed. An application must:

(c) not be conditional on amendment of the Deed; and

(d) identify the Crop, Crops or sub-group of Crops that the applicant represents; and

(e) provide details of the membership and purposes of the body.

Plant Health Australia must:

(f) circulate the application to the existing Parties;

(g) coordinate inquiries or discussion between the applicant and the existing Parties; and

(h) advise the existing Parties of the outcomes of any inquiries or discussions with an applicant representative body.

### 3.2 Admission

3.2.1 Admission of a party which is not an original Party to this Deed may occur if the existing Parties (other than any Party which is representative of the same Crop or Crops as the applicant), each of which is entitled to one vote, vote in favour of that admission in accordance with clause 3.2.2:

(a) at a Meeting of the Parties to be convened by Plant Health Australia not more than 6 months after receipt of the application; or

(b) by circulation of a resolution issued by Plant Health Australia not more than 6 months after receipt of the application.

3.2.2 The resolution to admit a new Party to this Deed will be passed if both:

(a) all votes received at the Meeting or in response to the circulated resolution are in favour of the admission; and

(b) the votes received at the Meeting or in response to the circulated resolution include votes from all Government Parties and at least 75% of Industry Parties.

3.2.3 If a circulated resolution referred to in clause 3.2.1(b) fails, the resolution must then be put to a Meeting of the Parties pursuant to clause 3.2.1(a) for further consideration. If the resolution is passed at the Meeting, then the new Party will be admitted in accordance with clause 3.2.

3.2.4 A body will become a Party upon its execution of a Deed of Accession to this Deed in the form of the Deed at Part 1 of Schedule 12.

3.3 **Withdrawal of a Party from the Deed**

3.3.1 Any Party other than Plant Health Australia may, by not less than 6 months' notice in writing to each other Party, withdraw from this Deed provided that if it does so:

(a) it will remain liable for:

(i) liabilities accrued to other Parties up to the date on which the notice takes effect (i.e. the date specified in the notice, being a date not less than 6 months after the date of service of the notice on all Parties); and

(ii) any obligations in respect of Cost Sharing:

A. arising pursuant to a Response Plan; or

B. of ORCs in the absence of a Response Plan;

which, in either case, have been agreed by the withdrawing Party prior to the date on which the notice is served by it; and

(b) the remaining Parties will continue to be bound by the Deed, to the extent that performance of their obligations is not rendered impossible by the withdrawal of the withdrawing Party from the Deed.

3.3.2 If a Party gives a notice of withdrawal from the Deed under clause 3.3.1, Plant Health Australia must, within 60 days of the date on which it receives the notice of withdrawal, convene a Meeting of the remaining Parties to consider the implications for the Deed of the withdrawal of the withdrawing Party, including any necessary changes to future Cost Sharing arrangements.

## 3.4 Replacement of an Industry Party

3.4.1 An Industry Party that:

(a) is proposing to cease to exist; or

(b) has changed, or is proposing to change, its structure, nature or legal identity so that, in either case, it will no longer be able to represent its Crop, Crops or a sub-group of Crops nationally,

must, by written notice, advise Plant Health Australia of the relevant facts and of its withdrawal from this Deed. The Industry Party may, with the agreement of the body concerned, nominate a body that is or will shortly be capable of representing the Crop, Crops or a sub-group of Crops in respect of this Deed (**Replacement Body**).

3.4.2 The Replacement Body may, by application in writing, apply to Plant Health Australia to become a party to this Deed to represent the Crop, Crops or a sub-group of Crops in place of the existing Industry Party. The Replacement Body must agree to:

(a) assume responsibility for the liabilities accrued by the existing Industry Party to the other Parties up to the date that the Replacement Body becomes a Party;

(b) meet the reasonable costs of Plant Health Australia in inquiring into the application; and

(c) accept any obligations in respect of Cost Sharing:

(i) arising pursuant to a Response Plan; or

(ii) of ORCs in the absence of a Response Plan,

for which, in either case, the existing Industry Party would have been liable if it had remained a Party.

3.4.3 Plant Health Australia must:

(a) circulate to the existing Parties the written notice from the Industry Party and the application from the Replacement Body;

(b) inquire into or discuss the application with the existing Industry Party and the Replacement Body; and

(c) advise the existing Parties of the outcomes of any inquiries and discussions with the Industry Party and the Replacement Body.

3.4.4 The Replacement Body will become a Party, and the existing Industry Party will cease to be a Party, if the existing Parties (other than the withdrawing Industry Party), each of which is entitled to one vote, vote in favour of that replacement in accordance with clause 3.4.5:

(a) at a Meeting of the Parties to be convened by Plant Health Australia not more than 6 months after receipt of the application; or

(b) by circulation of a resolution issued by Plant Health Australia not more than 6 months after receipt of the application,

provided that the Replacement Body and Plant Health Australia (on behalf of the other Parties) execute a Deed of Accession to this Deed in the form set out at Part 2 of Schedule 12 in which the Replacement Body takes on the obligations and liabilities of the withdrawing Industry Party.

3.4.5 The resolution to accept the Replacement Body to this Deed will be passed if both:

(a) all votes received at the Meeting or in response to the circulated resolution are in favour of the acceptance of the Replacement Body; and

(b) the votes received at the Meeting or in response to the circulated resolution include votes from all Government Parties and at least 75% of Industry Parties.

3.4.6 If a circulated resolution referred to in clause 3.4.4(b) fails, the resolution must then be put to a Meeting of the Parties pursuant to clause 3.4.4(a) for further consideration. If the resolution is passed at the Meeting, then the Replacement Body may become a Party in accordance with clauses 3.1 and 3.2.

3.4.7 The Industry Party being replaced will remain liable for any liabilities accrued to other Parties prior to the date of its withdrawal, except to the extent that they are met by the Replacement Body.

3.5 **Removal**

3.5.1 If an Industry Party:

(a) fails to comply with the terms of this Deed; or

(b) in the view of all other Parties, is no longer representative of its nominated Crop, Crops or a sub-group of Crops,

the other Parties may remove that unqualified Industry Party from participation in this Deed by terminating it as a Party to the Deed, provided that the unqualified Industry Party is:

(c) advised, in writing by Plant Health Australia, of the reasons for the proposed removal; and

(d) afforded the opportunity to make written submissions to, and to be heard by, the other Parties.

3.5.2 Termination of the unqualified Industry Party as a Party must be by Unanimous agreement of all Parties other than the unqualified Industry Party, upon which agreement the unqualified Industry Party will cease to be a Party to this Deed.

3.5.3 The Industry Party terminated pursuant to clauses 3.5.1 and 3.5.2 will remain liable for:

(a) liabilities accrued to other Parties up to the date on which it is terminated as a Party; and

(b) any obligations in respect of Cost Sharing:

(i) arising pursuant to a Response Plan; or

(ii) of ORCs in the absence of a Response Plan;

which, in either case, have been agreed by the terminated Industry Party prior to the date of its termination.

3.5.4 The other Parties will not be liable for any loss caused to or suffered by the terminated Industry Party resulting from its termination as a Party pursuant to clause 3.5.2.

3.6 **Representation of a Crop, Crops or sub-group of Crops**

3.6.1 For the purposes of Cost Sharing, an Industry Party will be taken to represent the Crop, Crops or sub-group of Crops which it notified Plant Health Australia that it represented when becoming a Party to the Deed, as set out in Part 3 of Schedule 7.

3.6.2 An Industry Party may, by application in writing to Plant Health Australia, apply to represent a Crop, Crops or sub-group of Crops:

(a) that is not yet represented (whether a newly emerged Crop or not); or

(b) that is represented by an existing Industry Party.

3.6.3 An application must identify, and provide evidence of the applicant Industry Party's qualification to represent, the Crop, Crops or sub-group of Crops. If the Crop, Crops or sub-group of Crops is/are already represented by one or more existing Industry Parties, Plant Health Australia must give notice of the application to that Party or Parties and invite it or them to submit, within 2 months of the date of receipt of the notice, a response to the application. Plant Health Australia must circulate the application and any response to all other Parties.

3.6.4 The applicant Industry Party will be taken to represent the Crop, Crops or sub-group of Crops if the other Parties (other than any Industry Party which already represents the Crop, Crops or sub-group of Crops the subject of the application), each of which is entitled to one vote, vote in favour of that change of representation in accordance with clause 3.6.5:

(a) at a Meeting of the Parties to be convened by Plant Health Australia not more than 6 months after receipt of the application; or

(b) by circulation of a resolution issued by Plant Health Australia not more than 6 months after receipt of the application.

3.6.5 The resolution to change the representation of a Crop, Crops or sub-group of Crops will be passed if both:

(a) all votes received at the Meeting or in response to the circulated resolution are in favour of the change of representation; and

(b) the votes received at the Meeting or in response to the circulated resolution include votes from all Government Parties and at least 75% of Industry Parties.

3.6.6 If a circulated resolution referred to in clause 3.6.4(b) fails, the resolution must then be put to a Meeting of the Parties pursuant to clause 3.6.4(a) for further consideration. If the resolution is passed at the Meeting, then the applicant Industry Party will be taken to represent the Crop, Crops or sub-group of Crops the subject of its application.

3.6.7 If the application is approved, the name of the Party and the Crop, Crops or sub-group of Crops which it is to represent must be added by Plant Health Australia to the table setting out the Crop, Crops or sub-group of Crops represented by Industry Parties at Part 3 of Schedule 7.

3.6.8 An Industry Party may, by notice in writing to Plant Health Australia, state its intention to resign its right to represent a Crop, Crops or sub-group of Crops. Plant Health Australia must circulate the notice to all Parties. The resignation takes effect, unless withdrawn by notice in writing to Plant Health Australia, 6 months from the date on which the notice of intention to resign was received by Plant Health Australia (or such later date as may be specified in the notice). In that case, Plant Health Australia must amend the list of the Crop, Crops or sub-groups of Crops represented by Industry Parties at Part 3 of Schedule 7.

3.6.9 An Industry Party which gives a notice of resignation of its right to represent a Crop, Crops or sub-group of Crops under clause 3.6.8 will remain liable for:

(a) liabilities accrued to other Parties up to the date on which the notice takes effect (i.e. the date specified in the notice, being a date not less than 6 months after the date of service of the notice on Plant Health Australia); and

(b) any obligations in respect of Cost Sharing:

(i) arising pursuant to a Response Plan; or

(ii) of ORCs in the absence of a Response Plan;

which, in either case, have been agreed by that Industry Party prior to it giving the notice.

3.7 **Requirement for Parties to maintain membership of Plant Health Australia**

3.7.1 In order for a Government Party or Industry Party to remain a Party to this Deed, that Party must continue to be a member of Plant Health Australia.

3.7.2 If a Government Party or an Industry Party ceases to be a member of Plant Health Australia (**Non Member Party**), Plant Health Australia must give that Non Member Party a notice (**Notice of Intention to Terminate**) that:

(a) sets out an intention to terminate the Non Member Party as a Party to this Deed; and

(b) invites the Non Member Party to make submissions to the other Parties as to why it should not be terminated as a Party to this Deed.

3.7.3 If the Non Member Party wishes to respond to the Notice of Intention to Terminate, it must respond in writing to Plant Health Australia within 28 days of receipt of the Notice of Intention to Terminate.

3.7.4 If Plant Health Australia receives a response pursuant to clause 3.7.3 within 28 days, it must circulate that response to the other Parties, and the Parties must consider that response within a further 28 day period. Plant Health Australia must determine the means by which that consideration will be undertaken.

3.7.5 In the event that the Non Member Party either:

(a) does not respond to the Notice of Intention to Terminate within 28 days; or

(b) responds to the Notice of Intention to Terminate within 28 days but, following circulation of the response to the other Parties and their consideration of it, all the other Parties other than Plant Health Australia have not within a further 28 days and by Unanimous agreement, determined to take another course,

Plant Health Australia must:

(c) give the Non Member Party a notice of termination of it as a Party to this Deed; and

(d) take such administrative steps as are necessary to give effect to that termination,

and clauses 3.5.3 and 3.5.4 will apply.

## 4 REPORTING OF EMERGENCY PLANT PESTS

### 4.1 Obligation to advise of an EPP within 24 hours

4.1.1 For the purposes of Cost Sharing under this Deed, each Government Party undertakes:

(a) to give Formal Notification to the CCEPP within 24 hours of becoming aware of an Incident; and

(b) to take all reasonable steps to ensure that persons within their jurisdiction (including public and private plant health personnel and public and private laboratories) advise that Government Party within 24 hours of becoming aware of an Incident, so that that Government Party can give Formal Notification to the CCEPP in accordance with clause 4.1.1(a).

4.1.2 Each Industry Party undertakes to take reasonable steps to advise its members and other participants (as considered appropriate by the Industry Parties) in

respect of their Crop, Crops or a sub-group of Crops to notify the applicable State or Territory authority within 24 hours of becoming aware of an Incident so that the applicable authority can notify the relevant CPHM who can give Formal Notification to the CCEPP in accordance with clause 4.1.1(a).

### 4.2 Effect of failure of a Government Party to advise of an EPP within 24 hours

4.2.1 Payment to a Government Party pursuant to this Deed for action taken by that Party in accordance with this Deed (**Claimant**) will not be made unless:

(a) the Claimant gave Formal Notification to the CCEPP in accordance with clause 4.1.1(a);

(b) the NMG determines on the advice of the CCEPP that a Claimant has in particular circumstances acted appropriately and that, despite the requirements of clause 4.1 (for notification within 24 hours of becoming aware of an Incident), payment should otherwise be made to the Claimant; or

(c) it relates only to Cost Sharing of Owner Reimbursement Costs.

## 5 PHASES OF AN EMERGENCY PLANT PEST RESPONSE

### 5.1 Incident Definition Phase

5.1.1 This is the investigation period that commences following Formal Notification to the CCEPP.

5.1.2 The Incident Definition Phase will continue until the NMG (on advice from the CCEPP):

(a) agrees to a Response Plan submitted by the CCEPP, following a determination by the NMG that:

(i) the Incident relates to an EPP; and

(ii) eradication of the EPP is feasible; or

(b) determines that the Incident:

(i) does not relate to an EPP; or

(ii) does relate to an EPP but that eradication of the EPP is not feasible.

5.1.3 Emergency Containment measures may be implemented during the Incident Definition Phase.

## 5.2 Emergency Response Phase

5.2.1 This is the period that may follow the Incident Definition Phase, if the NMG agrees to a Response Plan.

5.2.2 The aim of the Emergency Response Phase is to implement the Response Plan so as to eradicate the EPP.

5.2.3 The Emergency Response Phase will commence on agreement by the NMG of a Response Plan.

5.2.4 The Emergency Response Phase will continue until either:

(a) the CCEPP determines that the emergency response should enter a Proof of Freedom Phase in accordance with clause 5.3.3; or

(b) the NMG determines (on advice from the CCEPP) that eradication of the EPP is not feasible and either:

(i) that the emergency response should come to an end, in which case the Response Plan will be terminated; or

(ii) that the emergency response should enter a Transition to Management Phase in accordance with clause 5.4.2, in which case the Response Plan will be modified to include provisions for the Transition to Management Phase.

## 5.3 Proof of Freedom Phase

5.3.1 This is the period that may follow the Emergency Response Phase.

5.3.2 The aim of the Proof of Freedom Phase is to undertake activities to confirm that the EPP has been eradicated.

5.3.3 The Proof of Freedom Phase will commence if the CCEPP determines that the eradication activities set out in the Response Plan have been successfully completed and the emergency response should enter the Proof of Freedom Phase.

5.3.4 The Proof of Freedom Phase will continue until the NMG determines (on advice from the CCEPP):

(a) that the EPP has been eradicated, in which case the Response Plan will come to an end;

(b) that eradication of the EPP is no longer feasible and either:

(i) that the emergency response should come to an end, in which case the Response Plan will be terminated; or

(ii) that the emergency response should enter a Transition to Management Phase in accordance with clause 5.4.2, in which case the Response Plan will be modified to include provisions for the Transition to Management Phase; or

(c) that the Proof of Freedom Phase should end, in which case the NMG may also determine that the Response Plan should come to an end.

## 5.4 Transition to Management Phase

5.4.1 This is the period that may follow the Emergency Response Phase or the Proof of Freedom Phase.

5.4.2 The Transition to Management Phase will commence if it has been determined by the NMG (on advice from the CCEPP) that the emergency response should enter a Transition to Management Phase. The NMG may only make such a determination if it considers that:

(a) Transition to Management is achievable within a defined and reasonable timeframe:

(i) not exceeding 12 months; or

(ii) exceeding 12 months, but only if the NMG (on the advice from the CCEPP) determines that there are exceptional circumstances.

5.4.3 If:

(a) a Transition to Management Phase has commenced;

(b) Transition to Management was to be completed within 12 months; and

(c) the NMG (on advice from the CCEPP) determines that there are exceptional circumstances,

the NMG (on advice from the CCEPP) may extend the timeframe in which Transition to Management is considered achievable to a defined and reasonable timeframe exceeding 12 months.

5.4.4 The Transition to Management Phase will continue until the NMG determines (on advice from the CCEPP) either:

(a) that Transition to Management has been completed; or

(b) that the Transition to Management Phase should end,

and, in either case, the Response Plan will come to an end.

### 5.5 New outbreaks

5.5.1 If there is an Incident which cannot be directly linked to a previous Incident, it will be treated as a new Incident and the four Phases described above may apply.

## 6 DEVELOPING A RESPONSE PLAN

### 6.1 Procedure

6.1.1 A Response Plan proposed for submission to the NMG must be developed by the Lead Agency(s) in consultation with the CCEPP and in accordance with the following principles:

(a) the Response Plan development and approval process must not impede the initiation of a rapid response by the Lead Agency(s) to an outbreak of an EPP;

(b) the Response Plan must reflect the nature and circumstances of the EPP and Incident, including control of Plant Pests and Vectors in Feral, neglected and unmanaged plants or settings when the CCEPP advises that such measures are integral to the Response Plan;

(c) key strategies and core operational components of the Response Plan (including those which may be subject to Cost Sharing and those which may not) must be identified in first version of the Response Plan submitted to the NMG but some components may remain to be developed in accordance with a timetable to be agreed by the CCEPP;

(d) the Response Plan must clearly identify any proposed significant variations to or departures from the current version of PLANTPLAN, so as to enable consideration of those variations or departures by the NMG as required by clause 6.2.1(a); and

(e) all key strategies and core operational activities should be included in the Response Plan and must clearly identify which of them are to be the subject of Cost Sharing.

6.1.2 Once agreed by the NMG, the Response Plan will commit the Lead Agency(s) to the key strategies and core operational activities contained in the Response Plan, subject to any variations which may be:

(a) subsequently agreed by the NMG (on advice of the CCEPP); or

(b) required to be made in order to comply with the legislation of a State or Territory in which the Incident occurs.

6.1.3 The content of the Response Plan must be prepared in accordance with Part 1 of Schedule 4.

6.1.4 The CPHM(s) of the Lead Agency(s) must provide the proposed Response Plan to the CCEPP as soon as possible.

6.1.5 The CCEPP, once it agrees that the proposed Response Plan is in a suitable form, must submit the proposed Response Plan to the NMG for approval as soon as possible.

### 6.2 Standards

6.2.1 A Response Plan must (except as agreed by the NMG) conform to:

(a) PLANTPLAN, referred to in Part 1 of Schedule 5; and

(b) any applicable Emergency Plant Pest Strategy, referred to in Part 2 of Schedule 5.

## 7 CATEGORIES OF EMERGENCY PLANT PESTS

### 7.1 The four categories of EPPs

7.1.1 EPPs will be categorised into four categories in accordance with Part 1 of Schedule 3.

7.1.2 An EPP that is a Vector will be treated as the same category of EPP as the Plant Pest with which it forms a Complex.

### 7.2 Determination of applicable category and Funding Weights for an uncategorised EPP

7.2.1 Any Party may request Plant Health Australia to obtain a categorisation of an uncategorised:

(a) Plant Pest or Vector reasonably believed by the Party to be an EPP; or

(b) EPP listed in Schedule 13.

7.2.2 Upon receipt of such a request, Plant Health Australia must:

(a) if it is satisfied that it may be an EPP;

(b) and once it has sufficient information to enable categorisation,

refer the information to the Categorisation Group for categorisation.

7.2.3 In the circumstances set out in clause 7.2.2, Plant Health Australia must convene a Categorisation Group which must:

(a) if it has sufficient information to enable categorisation:

(i) determine whether it is an EPP; and

(ii) if it is an EPP, the category of EPP and the Funding Weights,

in accordance with the procedure at Schedule 3; or

(b) if it does not have sufficient information to enable it to determine if it is an EPP or to enable categorisation:

(i) request that information from Plant Health Australia or such Party(s) as may be able to supply it; and

(ii) upon receipt of that additional information, determine whether it is an EPP and, if so, the category and Funding Weights of the EPP, in accordance with the procedure at Schedule 3.

7.2.4 Following determination by the Categorisation Group pursuant to clause 7.2.3(a) or (b):

(a) that it is an EPP;

(b) the category of EPP; and

(c) the applicable Funding Weights,

the Relevant Parties must determine if there is Unanimous agreement in respect of the determination of the Categorisation Group in accordance with Part 2 of Schedule 3 and whether that EPP should be included in Schedule 13. If they so determine, Plant Health Australia must amend Schedule 13 accordingly and forward a copy to all Parties.

7.3 **Review of a category or Funding Weights, or removal from Schedule 13**

7.3.1 Any Party that:

(a) is dissatisfied with a determination of:

(i) a category of an EPP listed in Schedule 13; or

(ii) the Funding Weights of an EPP listed in Part 2 of Schedule 6; or

(b) believes that a Plant Pest or Vector should be removed from Schedule 13,

may request Plant Health Australia to obtain a review of the category or Funding Weights of a categorised EPP, or to remove a Plant Pest or Vector from Schedule 13. The Parties must follow the process for review of the category or Funding Weights of an EPP, or for removal of a Plant Pest or Vector from Schedule 13, set out at Part 2 of Schedule 3.

7.3.2 If Plant Health Australia determines that the request for review of the category or Funding Weights of an EPP, or for removal of a Plant Pest or Vector from Schedule 13, includes sufficient information, it must within 30 days seek the relevant review by a Categorisation Group.

7.3.3 If Plant Health Australia determines that the request for review of the category or Funding Weights of an EPP, or for removal of a Plant Pest or Vector from Schedule 13, does not contain sufficient information, it must so advise in writing the Party which lodged the request. That Party may seek reconsideration of the matter at a General Meeting of Plant Health Australia. If a motion for reconsideration is passed by ordinary resolution, Plant Health Australia must, within 30 days of the resolution, seek reconsideration of the matter by a Categorisation Group.

7.3.4 The Categorisation Group must:

(a) if it is satisfied that the request contains sufficient information to consider the request, determine (as applicable):

(i) any change to the category or the Funding Weights of the EPP; or

(ii) whether the Plant Pest or Vector should remain listed as an EPP in Schedule 13,

in accordance with the procedure at Schedule 3, having regard to the criteria set out in Part 3 of Schedule 3; or

(b) if it is not satisfied that the request contains sufficient information to enable it to consider the matter:

(i) request the required information from Plant Health Australia or such Party(s) as may be able to supply it; and

(ii) upon receipt of sufficient additional information, proceed to consider the matter in accordance with clause 7.3.4(a).

7.3.5 Following review of the category or Funding Weights of an EPP, or proposed removal from Schedule 13 of a Plant Pest or Vector, by the Categorisation Group, the Relevant Parties must determine if there is Unanimous agreement in respect of the determination of the Categorisation Group in accordance with Part 2 of Schedule 3.

## 8 MANAGEMENT OF A RESPONSE PLAN

### 8.1 Implementation

8.1.1 A Response Plan must be implemented by the Lead Agency(s) in accordance with:

(a) applicable legislation; and

(b) the terms of the Response Plan.

8.1.2 For the avoidance of doubt, the relevant Lead Agency(s) must, to the extent not inconsistent with applicable legislation, take action in accordance with the agreed Response Plan.

### 8.2 Qualification of Personnel

8.2.1 The Parties must:

(a) whenever possible, use personnel in an emergency response who have received training in respect of their responsibilities and the principles of EPP responses, including those roles listed in Part 2 of Schedule 4; and

(b) have appropriate numbers of their personnel receive training in respect of their responsibilities and the principles of EPP responses, including training under the National EPP Training Program.

## 9 PRINCIPLES OF COST SHARING

### 9.1 Cost Sharing – Incident Definition Phase

9.1.1 The State(s) and/or Territory(s) in which an Incident has occurred will meet the cost of the Incident Definition Phase except that, once a Response Plan has been agreed, Cost Sharing principles will apply in respect of:

(a) Owner Reimbursement Costs from:

(i) the date of first notification of the Incident to the relevant State(s), Territory(s) or the Commonwealth; or

(ii) such earlier date as may be determined by the NMG on the advice of the CCEPP; and

(b) investigation and diagnostic costs if approved by the NMG, on the advice of the CCEPP (having regard to the 'normal commitments' principles developed in accordance with clause 14), as being relevant and reasonable.

9.1.2 If an Incident has occurred but there is no agreed Response Plan (because the NMG made a determination that a Response Plan will not be implemented under this Deed), the NMG may determine that Owner Reimbursement Costs should be subject to Cost Sharing in accordance with this Deed.

### 9.2 Cost Sharing – Incident Definition, Emergency Response, Proof of Freedom and Transition to Management Phases

9.2.1 Subject to this Deed, the Parties must share the costs of:

(a) the implementation of a Response Plan that has been agreed by the NMG; and

(b) ORCs that are payable in the absence of a Response Plan in accordance with an agreement by the NMG pursuant to clause 9.1.2,

in the following proportions:

| Category of EPP | Government Funding | Industry Funding |
|---|---|---|
| **Category 1** | 100% | 0% |
| **Category 2** | 80% | 20% |
| **Category 3** | 50% | 50% |
| **Category 4** | 20% | 80% |

9.2.2 Cost Sharing of costs arising from the implementation of a Response Plan, will apply in respect of:

(a) salaries and wages;

(b) operating expenses;

(c) capital costs; and

(d) Owner Reimbursement Costs,

as determined in accordance with Part 4 of Schedule 6.

9.2.3 Cost Sharing of costs arising from the payment of ORCs in the absence of a Response Plan, will apply in respect of:

(a) Owner Reimbursement Costs paid by a State or Territory Government Party to an Owner, as determined in accordance with, as applicable, Part 4 of Schedule 6, Schedule 17 and any relevant Guidelines issued by Plant Health Australia that are referred to in Schedule 17 (provided that references to matters being done in accordance with or in respect of a Response Plan will be read as applying equally to the circumstances in which the Parties have agreed to Cost Sharing of costs arising from the payment of ORCs in the absence of a Response Plan);

(b) the costs paid by a Party to an assessor for undertaking a valuation of ORCs; and

(c) costs incurred by Plant Health Australia (above normal operating expenses) in respect of the payment of ORCs in the absence of a Response Plan.

9.2.4 The "Government Funding" referred to in clause 9.2.1 will be shared between Government Parties in the manner set out in Part 1 of Schedule 6.

9.2.5 The "Industry Funding" referred to in clause 9.2.1 will be shared between Industry Parties in the manner set out in Parts 2 and 3 of Schedule 6.

9.3 **Cost Sharing – Uncategorised Plant Pest or Vector or EPP listed in Schedule 13**

9.3.1 When an Incident has been reported to the CCEPP in respect of:

(a) an uncategorised:

(i) Plant Pest or Vector believed by the NMG to be an EPP; or

(ii) EPP listed in Schedule 13; and

(b) the NMG, prior to categorisation of the Plant Pest or Vector or EPP listed in Schedule 13, determines that:

(i) a Response Plan is to be implemented; or

(ii) Owner Reimbursement Costs should be subject to Cost Sharing in the absence of a Response Plan,

the Parties will engage in Cost Sharing as if the uncategorised Plant Pest, Vector or EPP listed in Schedule 13 were a Category 3 EPP unless:

(c) the NMG determines that there are significant public health issues, in which case the Parties will engage in Cost Sharing as if the uncategorised Plant Pest, Vector or EPP listed in Schedule 13 were a Category 1 EPP; or

(d) in respect of a Vector, the Plant Pest component of the relevant Complex is categorised, in which case the Vector will be treated as the same category as the Plant Pest component of the Complex,

until further determination by the NMG having regard to advice provided by the Categorisation Group.

9.3.2 If, following a request for categorisation being submitted in accordance with clause 7.2:

(a) the Categorisation Group subsequently determines that:

(i) the category is other than the category under which it has been treated pursuant to clause 9.3.1; or

(ii) the Funding Weights are other than those which have been applied pursuant to paragraph 2.2.4 of Schedule 6; and

(b) the Relevant Parties adopt that revised category or those revised Funding Weights, pursuant to clause 7.2.4,

the Parties will only make adjustments between them in respect of funds paid by way of Cost Sharing prior to the date of that final determination of the category and/or Funding Weights by the Categorisation Group if that adjustment is agreed by the NMG.

9.4 **Changing Cost Sharing proportions**

9.4.1 The Affected Parties may agree, in respect of a specific Response Plan, or specific ORCs in the absence of a Response Plan, that the proportions for Cost Sharing will be different to those set out in clause 9.2 provided that:

(a) a Party is not bound to meet any change in its liability arising from a change in the proportions of Cost Sharing until that change has been approved in writing by it or its Representative;

(b) a change in the proportions of Cost Sharing will only take effect in respect of a Party from the date of signature by it or its Representative of the written approval (unless the written approval signed by it or its Representative provides otherwise); and

(c) a change in the proportions of Cost Sharing will only apply to that specific Response Plan or those specific ORCs in the absence of a Response Plan (unless the written approval signed by the Parties or their Representatives provides otherwise).

9.5 **Agreed Limit**

9.5.1 The amount that may be eligible for Cost Sharing under a Response Plan must not exceed the Agreed Limit, unless agreed in writing by the Affected Parties.

***Agreed Limit when there is only one Affected Industry Party***

9.5.2 In respect of a Response Plan when there is only one Industry Party which is an Affected Party (**Affected Industry Party**), the Agreed Limit that will apply to that Response Plan will, unless another amount is agreed in writing by the Affected Parties, be the lesser of:

(a) 2% of the LVP of the Crop(s) represented by the Affected Industry Party; or

(b) if the Parties have agreed to the inclusion in Part 3.3 of Schedule 6 of a sub-group of the Crops represented by the Affected Industry Party, 2% of the LVP of the relevant sub-group(s) of Crops; or

(c) subject to clause 33, $20 million; or

(d) the amount set out in Schedule 14 by the Operative Date or the amount:

(i) nominated to Plant Health Australia in writing by the Affected Industry Party in respect of the relevant Crop(s); and

(ii) approved by a general meeting of members of Plant Health Australia,

every 12 months after the Operative Date.

***Agreed Limit when there is more than one Affected Industry Party***

9.5.3 In respect of a Response Plan when there is more than one Industry Party which is an Affected Party (**Affected Industry Parties**), the Agreed Limit that will apply to that Response Plan will, unless another amount is agreed in writing by the Affected Parties, be:

(a) 1% of the sum of the LVPs of the Crops represented by the Affected Industry Parties; or

(b) if the Parties have agreed to the inclusion in Part 3.3 of Schedule 6 of a sub-group of the Crops represented by any of the Affected Industry Parties, 1% of the sum of the LVP of the Crops represented by the Affected Industry Parties, but only using the LVP of the relevant sub-group(s) when applicable.

9.6 **Reimbursement Limit**

9.6.1 The amount that may be eligible for Cost Sharing of ORCs in the absence of a Response Plan may not exceed the lesser of*:*

(a) 2% of the Agreed Limit that would apply if a Response Plan were agreed in respect of that Incident; and

(b) $2.5 million,

(the **Reimbursement Limit**), unless otherwise agreed in writing by the Affected Parties.

9.7 **Maximum Proportional Share**

***Maximum Proportional Share when there is only one Affected Industry Party***

9.7.1 For the purposes of Cost Sharing when there is only one Affected Industry Party, the maximum Proportional Share that each Affected Party may be required to contribute to Cost Sharing will be:

(a) its share (as determined in accordance with clause 9.2):

(i) of the Agreed Limit determined under clause 9.5.2; or

(ii) of the Reimbursement Limit determined under clause 9.6; or

(b) such greater amount as it has agreed in writing to contribute. That agreement in writing (including if it is in the Response Plan) must be explicitly worded as an agreement to the increase of the Agreed Limit, Reimbursement Limit or maximum Proportional Share for the purposes of clauses 9.5.2 and 9.7.1 of this Deed.

***Maximum Proportional Share when there is more than one Affected Industry Party***

9.7.2 For the purposes of Cost Sharing when there is more than one Affected Industry Party, the maximum Proportional Share that each Affected Party may be required to contribute to Cost Sharing will be:

(a) its share (as determined in accordance with clause 9.2):

(i) of the Agreed Limit determined under clause 9.5.3; or

(ii) of the Reimbursement Limit determined under clause 9.6; or

(b) such greater amount as it has agreed in writing to contribute. That agreement in writing (including if it is in the Response Plan) must be explicitly worded as an agreement to the increase of the Agreed Limit, Reimbursement Limit or maximum Proportional Share for the purposes of clauses 9.5.3 and 9.7.2 of this Deed.

## 9.8 Expenditure threshold for review of the Agreed Limit

9.8.1 In the determination of a Response Plan, the CCEPP must propose and the NMG must approve an expenditure threshold that would trigger a review of the Agreed Limit. This expenditure threshold must not be set higher than 90% of the Agreed Limit. If no threshold is set, it will be taken to be 90% of the Agreed Limit.

9.8.2 If expenditure on the Response Plan reaches the threshold referred to in clause 9.8.1, the NMG must meet to determine whether the Agreed Limit will be revised or other action taken as set out in clause 9.9.1.

## 9.9 If the Agreed Limit or Reimbursement Limit may be exceeded

9.9.1 If the NMG believes that the cost of a Response Plan may exceed the Agreed Limit, it must promptly determine whether:

(a) the Agreed Limit should be increased, in which case it must convene a Meeting of Affected Parties to consider the recommended increase;

(b) the Response Plan should be continued;

(c) the Proportional Shares of the Affected Parties should be altered;

(d) any other appropriate alterations should be made to the Response Plan; or

(e) the Response Plan should be transformed into a long term control program in which case the Response Plan will cease.

9.9.2 If a Lead Agency believes that the cost of ORCs in the absence of a Response Plan may exceed the Reimbursement Limit, it must immediately advise the NMG which will apply a process similar to that described in clause 9.9.1.

9.10 **Cost Sharing in respect of an unrepresented cropping sector with LVP greater than $20 million**

9.10.1 If an Incident occurs that only concerns a cropping sector that:

(a) has an LVP that, subject to clause 33, is greater than $20 million; and

(b) is not represented by a Party to this Deed,

the mechanisms set out in this Deed will not apply to that Incident (and, for clarity, Cost Sharing will not apply in respect of any response to that Incident that may be taken by any Party).

9.10.2 If an Incident occurs that:

(a) concerns one or more Cropping Sectors that is or are represented by a Party or Parties to this Deed; and

(b) also concerns a cropping sector that:

(i) has an LVP that, subject to clause 33, is greater than $20 million; and

(ii) is not represented by a Party to this Deed,

the mechanisms set out in this Deed may be applied by the Affected Parties to respond to that Incident but:

(c) Cost Sharing will not apply in respect of any Owner Reimbursement Costs paid by a Government Party to members of the unrepresented cropping sector;

(d) Cost Sharing will not apply in respect of any other costs incurred by a Party in respect of the unrepresented cropping sector except to the extent that those costs are incurred for the benefit of a Cropping Sector represented by a Party to this Deed; and

(e) the unrepresented cropping sector will not be entitled to be represented at any of the meetings or fora convened pursuant to this Deed.

9.11 **Cost Sharing in respect of an unrepresented cropping sector with LVP less than $20 million**

9.11.1 If an Incident occurs that:

(a) only concerns a cropping sector that:

(i) has an LVP that, subject to clause 33, is less than $20 million; and

(ii) is not represented by a Party to this Deed; or

(b) concerns such an unrepresented cropping sector and also concerns one or more Cropping Sectors that is or are represented by a Party or Parties to this Deed,

then:

(c) the mechanisms set out in this Deed may be applied by the Affected Parties to respond to that Incident; and

(d) Cost Sharing may apply in respect of any response to that Incident that may be taken by the Affected Parties, including in respect of:

(i) Owner Reimbursement Costs paid by a Government Party to members of the unrepresented cropping sector; and

(ii) any other costs incurred by a Party in respect of the unrepresented cropping sector,

but the unrepresented cropping sector will not be entitled to be represented at any of the meetings or fora convened pursuant to this Deed.

9.12 **Additional costs that are subject to Cost Sharing**

9.12.1 The principles for Cost Sharing will also apply to:

(a) the costs of dealing with Plant Pests and Vectors in Feral, neglected and unmanaged plants or settings and associated control measures, forming part of a Response Plan when the CCEPP has advised, and the NMG has agreed, that such measures are required as part of the Response Plan;

(b) the costs incurred by the NMG (or by a Party on behalf of the NMG) pursuant to clause 12.3;

(c) the costs of a financial auditor incurred by a Lead Agency pursuant to clause 12.4; and

(d) other costs as agreed by the Relevant Parties.

### 9.13 Plant Health Australia costs

9.13.1 While Plant Health Australia is neither a Government Party nor an Industry Party, the principles of Cost Sharing will apply to costs incurred by it that are additional to its ordinary operating costs and are in respect of implementing:

(a) a Response Plan; or

(b) the provisions relating to Cost Sharing of ORCs in the absence of a Response Plan.

### 9.14 No litigation on Owner Reimbursement Costs

9.14.1 The Parties:

(a) noting that Owner Reimbursement Costs assessed in accordance with Part 4.4 of Schedule 6 may be reviewed under paragraph 4.4.6 of Schedule 6; and

(b) noting the importance for the operation of this Deed of finalising the costs of a Response Plan, and the costs of ORCs in the absence of a Response Plan, in a timely way to facilitate Cost Sharing,

agree, in the absence of manifest error, to be bound by the amount assessed and paid in accordance with Part 4.4 of Schedule 6.

## 10 FUNDING RESPONSE COSTS

### 10.1 General obligation of the Parties

10.1.1 When:

(a) a Response Plan; or

(b) Cost Sharing of ORCs in the absence of a Response Plan,

has been agreed by the NMG and is implemented, each Affected Party must, in accordance with this clause 10, meet its Cost Sharing obligations as detailed in clause 9.

10.1.2 Reimbursement (of net payments) between Parties is to be made on a no less than three monthly basis (or such other longer period as agreed by the NMG).

10.1.3 For the purposes of Cost Sharing, an Industry Party will be taken to represent each of the Crops identified as being represented by that Party at Part 3 of Schedule 7.

10.2 **Initial funding by Parties**

10.2.1 Each Party must initially meet its own costs arising from its involvement in implementing an agreed Response Plan or payment of ORCs in the absence of a Response Plan.

10.3 **Progressive Cost Sharing**

10.3.1 During the course of implementation of a Response Plan, or payment of ORCs in the absence of a Response Plan, the Affected Parties must implement Cost Sharing principles in the manner detailed in Part 2 of Schedule 7.

10.4 **Mechanism for Industry Party to meet its Cost Sharing obligations**

10.4.1 Each Industry Party must take reasonable steps to ensure that its growers of the Crop, Crops or a sub-group of Crops of which it is representative meet the Cost Sharing obligations of that Crop, Crops or a sub-group of Crops.

10.4.2 If an Industry Party is not able to meet its Cost Sharing obligations either directly, or from funds held on its behalf, the Commonwealth will initially meet that Industry Party's Cost Sharing obligations.

10.4.3 Each Industry Party will meet its Cost Sharing obligations to the Commonwealth, arising as a consequence of the Commonwealth meeting Industry Party obligations pursuant to clause 10.4.2, in the manner set out in Part 1 of Schedule 7.

10.5 **Mechanism for determining Shared Costs**

10.5.1 The manner of determining the costs to which the principles of Cost Sharing will be applied will be as set out in Part 2 of Schedule 7.

10.6 **Determination of final costs of responding to an Incident**

10.6.1 All Affected Parties must, within 6 months of the Response Plan Completion Date, provide information to Plant Health Australia to enable it to determine the total cost of the implementation of the Response Plan and the wider costs incurred by them in responding to the Incident. Each Affected Party must provide available detailed information of all costs (including Shared Costs and

non-Shared Costs) incurred by that Party associated with responding to that Incident being:

(a) salaries and wages;

(b) operating expenses;

(c) capital costs;

(d) Owner Reimbursement Costs; and

(e) estimated consequential losses (but only for the purpose of allowing the Parties to understand the wider cost of responding to the Incident).

### 10.7 GST

10.7.1 If GST is imposed on any supply under or in connection with this Deed by one Party (**Supplying Party**) to another Party (**Receiving Party**):

(a) subject to subclause (b), the Receiving Party must pay the Supplying Party the amount of GST imposed on the Supplying Party (in addition to, and at the same time as, any other amount payable under this Deed by the Receiving Party to the Supplying Party in relation to the supply);

(b) the Supplying Party must issue to the Receiving Party a tax invoice in relation to the supply, in a form that would enable the Receiving Party to claim any input tax credits to which it may be entitled in relation to the amount of GST paid; and

(c) for the purposes of this clause 10.7 the following terms have the meanings given in the A New Tax System (Goods and Services) Tax Act 1999: GST, supply, input tax credit and tax invoice.

## 11 CONSULTATION

### 11.1 The NMG

11.1.1 The NMG is constituted, has the role, and must meet and conduct its affairs in the manner set out in Part 1 of Schedule 8.

### 11.2 The CCEPP

11.2.1 The CCEPP is constituted, has the role, and must meet and conduct its affairs in the manner set out in Parts 2 and 3 of Schedule 8.

11.3 **The Categorisation Group**

11.3.1 The Categorisation Group is constituted, has the role, and must meet and conduct its affairs in the manner set out in Part 4 of Schedule 8.

11.4 **Representation of Industry Parties**

11.4.1 When an Industry Party is an Affected Party, its Representative will be involved in all Meetings and consultation between the Affected Parties.

11.4.2 Representatives of Industry Parties must:

(a) in the case of the CCEPP, be nominated in writing by each Industry Party to Plant Health Australia by the Operative Date and every twelve months thereafter during the term of the Deed;

(b) complete training under the National EPP Training Program in respect of their responsibilities and the principles of EPP responses;

(c) be authorised in writing by the Industry Party to represent that Industry Party for one or more nominated roles in the manner contemplated by this Deed;

(d) report regularly to, and consult appropriately (to the extent that time permits) with, their Industry Party; and

(e) sign a Confidentiality Deed Poll in the form of Schedule 9 prior to participation in any activities pursuant to this Deed.

11.4.3 The CPHM must invite the Affected Industry Party(s) to provide one or more (in the CPHM's discretion) Industry Party Delegate(s) to contribute to the operations and decision making process within EPP control centres. The Industry Party(s) must nominate one or more suitably qualified person(s) to contribute to the response. The Industry Party Delegate(s) must be authorised to provide an Industry Party view in the decision making processes of the EPP control centres. Industry Party Delegates must comply with clauses 11.4.2(b), (c), (d) and (e) and work as a part of the team at the EPP control centre.

11.5 **Plant Health Australia**

11.5.1 Plant Health Australia must monitor and report to its members on:

(a) resource usage in the implementation of a Response Plan;

(b) Deed policy issues;

(c) the implementation of Biosecurity measures; and

(d) the implementation of the provisions of this Deed relating to Owner Reimbursement Costs.

11.5.2 In consultation with its members, Plant Health Australia will initiate and manage the reviews of the Deed specified in clause 2.2.1.

### 11.6 Representation of Government Parties

11.6.1 When a Government Party is an Affected Party, its Representative will be involved in all Meetings and consultation between the Affected Parties.

11.6.2 Representatives of Government Parties must:

(a) in the case of the CCEPP, be advised in writing by each Government Party to Plant Health Australia by the Operative Date and every twelve months thereafter during the term of the Deed;

(b) complete training under the National EPP Training Program in respect of their responsibilities and the principles of EPP responses;

(c) be authorised in writing by their Government Party to represent that Government Party for one or more nominated roles in the manner contemplated by this Deed;

(d) report regularly to, and consult appropriately (to the extent that time permits) with, appropriate agencies within that Government Party; and

(e) confirm that they have signed an appropriate form of confidentiality Deed Poll (which may be in the form of Schedule 9) prior to participation in any activities pursuant to this Deed.

## 12 ACCOUNTING FOR RESPONSE COSTS

### 12.1 Keeping accounts

12.1.1 The Lead Agency(s) must keep, in auditable form, details of financial expenditure in respect of:

(a) each Response Plan; and

(b) any ORCs in the absence of a Response Plan,

for which it is/they are responsible and to which they seek to apply Cost Sharing.

12.1.2 All Parties must be able to identify and provide substantiation of claims in respect of costs for which they seek to apply Cost Sharing.

12.1.3 Each Government Party must develop, within 6 months of the date of execution of the Deed by it, a financial management preparedness plan which details how accounting and reporting will be managed for the implementation of a Response Plan and the recording of costs which may become Shared Costs (including how normal costs will be distinguished). Once developed, each Party must provide a copy of its plan to Plant Health Australia, which will review it for consistency with the plans of other Parties and advise of any inconsistencies or matters not in accordance with the Deed.

12.1.4 Plant Health Australia must coordinate and collate claims for reimbursement of money spent by any Party that has submitted a claim for Cost Sharing.

12.1.5 Each Party that submits a claim for Cost Sharing must provide such information as required by Plant Health Australia, to satisfy it that:

(a) the money has been spent by that other Party; and

(b) the costs are eligible for Cost Sharing under this Deed.

12.1.6 Plant Health Australia must maintain records of funds receivable and payable by Parties by way of Cost Sharing pursuant to clause 10 of this Deed.

12.2 **Reporting**

12.2.1 The Lead Agency(s) must provide a written report at each relevant Meeting of the CCEPP:

(a) in the form of Schedule 10, which sets out the budgeted, committed and actual expenditure on the Response Plan; and

(b) in such form as may be agreed from time to time by the Parties, which sets out the status of any current Incident which is not the subject of a Response Plan, including details of any ORCs that have been or are expected to be incurred.

12.2.2 The CCEPP must promptly forward a copy of all reports received by it to the NMG.

12.3 **Efficiency and effectiveness of a Response Plan**

12.3.1 In pursuing its role during a Response Plan, the NMG may obtain, from independent sources of its choosing, advice about the efficiency of the Response Plan to assist its deliberations in accordance with Part 1 of Schedule 11.

12.3.2 Plant Health Australia may develop a methodology for use by the NMG and any Efficiency Advocate to enable the conduct of cost/benefit analyses in respect of Response Plans.

12.4 **Financial audit**

12.4.1 The Lead Agency must arrange for an external financial audit of the Response Plan ledger account following the Response Plan Completion Date, when the criteria set out in Part 2 of Schedule 11 are met by the Response Plan. The financial auditor must be engaged to:

(a) report jointly to the Lead Agency and the NMG; and

(b) provide a formal sign off in respect of any claims for, or payments made in respect of, Cost Sharing,

having regard to the matters set out in Part 2 of Schedule 11.

12.4.2 When there is more than one Lead Agency involved in respect of a Response Plan, and those Lead Agencies do not agree on an external auditor, Plant Health Australia will nominate the financial auditor to perform the tasks set out in clause 12.4.1.

12.4.3 When a Lead Agency seeks Cost Sharing in respect of ORCs in the absence of a Response Plan, it must arrange for an external financial audit of the claimed costs, using the processes set out in clauses 12.4.1 and 12.4.2.

## 13 BIOSECURITY

13.1.1 The Parties acknowledge the need for a program of risk reduction measures, complementary to the Deed, to reduce the risk of the entry and spread of EPPs including Biosecurity measures for implementation and maintenance at national, regional and individual premises levels.

13.1.2 The Parties commit to an on-going process of risk mitigation, recognising that all Parties are adversely affected by Incidents. The Parties recognise natural incursions may not be prevented, but movements of materials, containers, machinery, mail or passengers are areas where incursion risks must be routinely examined and minimised.

13.1.3 Plant Health Australia is developing, and will manage, a National Plant Pest Risk Mitigation Program. It will include consultative mechanisms to facilitate Government Parties and Industry Parties working together to develop and

agree all aspects of the program including, and consistent with the Plant Health Australia Biosecurity Planning Guide:

(a) Crop Biosecurity statements that commit the members of each Industry Party to Biosecurity, that identify the current version of that Industry Party's Biosecurity plan or state when a plan will be in place, and describe how each Industry Party will promote improvements to existing Biosecurity measures used with respect to that Crop, including a commitment to on-farm Biosecurity (included at Schedule 15);

(b) Government Biosecurity statements /strategies outlining Biosecurity policies and programs relevant to their responsibilities including Feral, neglected and unmanaged plants and Plant Pests and Vectors, and public health and environmental policies (included at Schedule 15);

(c) application of legislative support when appropriate; and

(d) a national communications program that will raise community awareness of the importance of Biosecurity measures.

13.1.4 Each Party must report to Plant Health Australia in July of each year any material changes to the content of, or to the Party's commitment to, the Party's Biosecurity statement, and state any reduction in resources available for its implementation and identify any legislative obstacles to the operation of an Industry's Biosecurity measures.

13.1.5 The National Plant Pest Risk Mitigation Program will be reviewed annually by Plant Health Australia, in conjunction with the Parties, as part of Plant Health Australia's annual review process.

13.1.6 Progress in implementation of Biosecurity strategies for Government Parties and Industry Parties will be reviewed by Plant Health Australia, in conjunction with the Parties, commencing in October 2005 and again commencing in October 2006.

13.1.7 The Parties agree that:

(a) substantial advantages may arise for both plant and animal industries from a mutual approach to Biosecurity and risk mitigation;

(b) separately from cost sharing arrangements, Plant Health Australia is to investigate with relevant animal industries, animal health authorities, and human health and environmental groups and agencies, options for a cooperative, holistic approach to Biosecurity and risk

management and mitigation strategies, including alternative future sustainable funding mechanisms; and

(c) Plant Health Australia must report within 24 months of the Operative Date to the Parties on the feasibility and utility of a cooperative, holistic approach.

## 14 COMMITMENT OF GOVERNMENT PARTY RESOURCES TO EPP RESPONSE CAPACITY

14.1.1 The Parties agree that, for at least the first 12 months of operation of the Deed following the Operative Date, the manner of determination of the costs to be shared set out in Part 4 of Schedule 6 will be maintained.

14.1.2 During that period the Parties will work to determine existing and required resource commitments and to define the costs that a State or Territory consider to be "normal" and which should be considered as a baseline above which other costs are to be shared.

14.1.3 Any change to the interim arrangement set out in Part 4 of Schedule 6 may only be adopted with the agreement of all Parties.

14.1.4 The Parties note the development of performance standards for Australia's plant health services will be required and agree that, once settled, these will apply to activities under this Deed.

## 15 OBLIGATIONS IN RESPECT OF PERSONNEL

15.1.1 Each Party must ensure that any of its personnel (including its officers, employees and contractors) who participate in the NMG, the CCEPP, a Categorisation Group or other functions under this Deed do so in accordance with the terms of this Deed.

## 16 AMENDMENT OF SCHEDULES

16.1.1 If:

(a) a process is conducted pursuant to this Deed and the final step of the process requires Plant Health Australia to make an amendment to a Schedule; or

(b) a Party gives Plant Health Australia a notice pursuant to clause 31.1.1 and Plant Health Australia is satisfied that:

(i) the notice requires the making of an amendment to a Schedule; and

(ii) the making of the amendment will not concern or affect the rights or obligations of another Party,

Plant Health Australia may make the amendment by providing to all Parties a copy of the amended Schedule (version numbered and dated for identification purposes), together with a statement of the particulars of the process or notice.

16.1.2 A Party may lodge an objection to the amended Schedule by giving a notice pursuant to clause 31.1.1 which must:

(a) set out the reasons for the objection; and

(b) be received by Plant Health Australia no later than 30 days after the date of despatch of the amended Schedule by Plant Health Australia.

16.1.3 On receipt of an objection pursuant to clause 16.1.2, Plant Health Australia must:

(a) promptly notify all Parties of the objection; and

(b) submit the objection to the next meeting of the Board of Plant Health Australia, the decision of which in respect of the objection will be final.

16.1.4 Plant Health Australia must promptly notify the Parties of the decision of the Board and, if the Board upholds the objection, that the amended Schedule is withdrawn and has no effect.

16.1.5 If the Board of Plant Health Australia rejects an objection to an amended Schedule, the amendment to the Schedule takes effect 30 days after the date of the decision by the Board of Plant Health Australia.

16.1.6 If there is no objection to a notification of an amendment to a Schedule, the amendment to the Schedule takes effect 30 days after the date of its despatch by Plant Health Australia pursuant to clause 16.1.1.

## 17 VARIATION OR TERMINATION

### 17.1 Varying or terminating Deed

17.1.1 Subject to clause 2.3, if at any time during the term of this Deed the Parties wish to vary or terminate this Deed, they must negotiate in good faith in regard to:

(a) that variation or termination; and

(b) the effect of that variation or termination upon the existence and operation of the EPP Program and any Response Plan being undertaken.

17.2 **Variation or termination in writing**

17.2.1 Subject to clause 16, no variation or termination to this Deed will be of any force or effect unless the same is confirmed in writing, signed by each Party, and then such variation or termination will be effective only to the extent for which it has been made or given.

17.2.2 Each Party must advise Plant Health Australia, in a 'Nomination of Authorised Signatory' notice substantially conforming with Part 1 of Schedule 16, the details of the person authorised by the Party from time to time to approve on behalf of the Party a variation or termination to this Deed.

17.2.3 The Parties may vary the Deed by the following process:

(a) Plant Health Australia is to serve a notice on each Party setting out the proposed variation(s) together with a brief statement of its purpose;

(b) each Party may signify its approval of the proposed variation(s) by returning a duly completed notice of 'Approval of Variation to Provisions' substantially conforming with Part 2 of Schedule 16; and

(c) the variation(s) takes effect from the date on which Plant Health Australia gives notice to the Parties that it has received duly authorised Approval of the Variation to Provisions notices from all Parties.

17.2.4 The Parties may terminate the Deed by consent by means of a Deed of termination which they all execute.

17.3 **Position of Plant Health Australia**

17.3.1 In the event that any of the payments referred to in this Deed which should be made to Plant Health Australia are not made and the non-payment:

(a) materially affects Plant Health Australia's ability to meet its obligations under the Deed; and

(b) is not due to the default of Plant Health Australia,

Plant Health Australia will not be required, nor liable in respect of any failure, to meet any obligation which would otherwise arise pursuant to this Deed, unless

or until such time as Plant Health Australia receives the outstanding payment(s) in accordance with this Deed.

## 18 SEVERABILITY

In interpreting a provision of this Deed, the provision must, to the extent possible, be read so as to ensure that it is not illegal, invalid or unenforceable. If any provision or part of it cannot be so read, the provision or part of it will be deemed to be void and severable and the remaining provisions of this Deed will, provided that they can be applied in accordance with the spirit of the Deed, not in any way be affected or impaired.

## 19 WAIVER

The failure, delay, relaxation or indulgence on the part of any Party in exercising any power or right given to that Party under this Deed does not operate as a waiver of that power or right, nor will it entitle a Party to claim that another Party is estopped from exercising the power or rights. A single exercise of a power or right will not be construed as precluding any other or further exercise of it or the exercise of any other power or right under this Deed. A power or right may only be waived in writing, signed by the Party or Parties to be bound by the waiver.

## 20 PROPER LAW

### 20.1 Jurisdiction of the Courts

20.1.1 This Deed and the transactions contemplated by it will be construed and take effect in accordance with and governed by the laws of the Australian Capital Territory, Australia and its form, execution, validity, construction and effect will be determined in accordance with the laws of the Australian Capital Territory and the Parties hereby submit themselves to the jurisdiction of the courts in and of the Australian Capital Territory and the Federal Court of Australia and the respective courts of appeal therefrom.

### 20.2 High Court of Australia

20.2.1 The submission to the jurisdiction of the courts of the Australian Capital Territory and to the Federal Court of Australia is exclusive except in so far as the High Court of Australia has jurisdiction to hear any matter involving the Commonwealth or any constitutional matter.

### 20.3 State and Territory Laws apply to the conduct of a Response Plan

20.3.1 Nothing in this Deed and nothing in this clause 20 is to be construed as requiring the conduct of a Response Plan by a State or Territory agency in a manner contrary to the laws applying in that State or Territory.

## 21 FURTHER ASSURANCE

Each Party must, at its own expense, on the request of any other Party, sign and execute all deeds, documents, notices, instruments and schedules, and do and perform all acts and things which are reasonable and necessary in order to carry out and give effect to the terms and conditions of this Deed and the transactions contemplated by it, whether before or after the execution of the Deed by all of the Parties.

## 22 COUNTERPARTS

This Deed may be executed in any number of counterparts and all of such counterparts when so executed will be an original but all of which taken together will be deemed to constitute one and the same instrument.

## 23 AGENCY

No Party to this Deed has, except as otherwise specified in this Deed, any right to act on behalf of, represent itself as agent for, or otherwise bind, any other Party.

## 24 ENTIRE AGREEMENT

This Deed constitutes the entire agreement between the Parties in relation to the subject matter of this Deed. Any prior arrangements, agreements, representations or undertakings are superseded and each Party acknowledges that it has not relied on any arrangement, agreement, representation or understanding which is not expressly set out in this Deed.

## 25 MEDIATION AND ALTERNATIVE DISPUTE RESOLUTION

### 25.1 Notice of Disputes

25.1.1 In the event of any disagreement or dispute arising between any or all of the Parties as to the interpretation, implementation or enforcement of any term of this Deed, any Party concerned may send a notice to all of the Parties setting out the details of that dispute (**Notice of Dispute**).

25.1.2 A Party which serves a Notice of Dispute may withdraw it by giving written notice to all Parties.

### 25.2 Resolution of Disputes

25.2.1 Following receipt of a Notice of Dispute each Party must enter into good faith discussions with other Parties with a view to resolving the dispute.

25.2.2 If the Parties have not resolved the matter the subject of the Notice of Dispute within 28 days of the date of despatch of the Notice of Dispute to the Parties,

any Party may require that the matter be referred for mediation or alternative dispute resolution by notice to all of the parties (**Notice of ADR**). Decisions reached by alternative dispute resolution should be final and binding on the Parties.

25.2.3 Each Party which receives a Notice of ADR which wishes to be involved in the dispute resolution process (**Concerned Party**) must, within seven days of receipt of the Notice of ADR, so advise the sender in writing.

25.2.4 If a Notice of ADR has been served by one of the Parties, the Concerned Parties must seek to agree on a suitably qualified person to undertake the mediation or alternative dispute resolution within fourteen days of the date of despatch of the Notice of ADR.

25.2.5 If the Concerned Parties are unable to agree Unanimously on the selection of such person within fourteen days of the date of despatch of the Notice of ADR, the matter must be referred to the President of the Law Society of the Australian Capital Territory at that time, for that President or his or her nominee to appoint a suitably qualified person who has not previously acted for any of the Concerned Parties to conduct the mediation or alternative dispute resolution.

25.2.6 Any costs or expenses associated with the mediation or alternative dispute resolution must be paid by the Concerned Parties in equal shares unless recommended otherwise by the person conducting the mediation or alternative dispute resolution process.

## 26 EXERCISE OF FUNCTIONS AND POWERS

The obligations of the Commonwealth and the States and Territories under this Deed are subject to any statutory or common law requirements applying to the exercise of statutory or executive powers or duties which must be exercised in the performance of those obligations.

## 27 PROTECTION OF PERSONAL INFORMATION

### 27.1 Use of Personal Information

27.1.1 Each Party agrees to:

(a) use Personal Information as defined in the *Privacy Act 1988* (**Act**) held or controlled by it in connection with this Deed only for the purposes of fulfilling its obligations under this Deed;

(b) take all reasonable measures to ensure that Personal Information in its possession or control in connection with this Deed is protected against loss and unauthorised access, use, modification or disclosure;

(c) comply with the Australian Privacy Principles contained in the Act, and any equivalent principles applied by State or Territory privacy legislation in respect of activities within the applicable State or Territory, (**Principles**) to the extent that the content of those Principles apply to the types of activities the Party is undertaking under this Deed, as if the Party were an agency as defined in the Act;

(d) cooperate with any reasonable demands or inquiries made by the Commonwealth on the basis of the exercise of the functions of the Privacy Commissioner under the Act including, but not limited to, a request from the Commonwealth to comply with a guideline concerning the handling of Personal Information, and any equivalent demands, inquiries or requests made under applicable State or Territory privacy legislation in respect of activities within the applicable State or Territory;

(e) ensure that any person who has an access level which would enable that person to obtain access to any Personal Information is made aware of, and undertakes in writing to observe, the Principles and other obligations referred to in this clause 27;

(f) comply as far as practicable with any policy guidelines laid down by the Commonwealth or issued by the Privacy Commissioner from time to time relating to the handling of Personal Information, and any equivalent guidelines made under applicable State or Territory privacy legislation or by a State or Territory privacy commissioner in respect of activities within the applicable State or Territory; and

(g) comply with any reasonable direction of the Commonwealth to observe any recommendation of the Privacy Commissioner relating to any acts or practices of the Party that the Privacy Commissioner considers breaches the obligations in this clause 27, and any equivalent direction made by a State or Territory privacy commissioner in respect of activities within the applicable State or Territory.

27.2 **Meaning of Personal Information**

27.2.1 In this clause 27, 'Personal Information' means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about a natural person

whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

## 28 INSURANCE

28.1.1 Plant Health Australia must:

(a) take out in respect of itself, its employees, contractors and agents all appropriate insurance (including any workers' compensation as required by law) and public risk insurance relating to the performance of its obligations under this Deed (**Required Insurance**); and

(b) promptly provide to any other Party on request proof of the currency of such insurance.

## 29 CONFIDENTIALITY

29.1.1 A Party must not copy, reproduce, divulge, publish or circulate (or authorise or permit anyone else to copy, reproduce, divulge, publish or circulate) any of the Confidential Information disclosed or communicated to it by any other Party except:

(a) to or for such of its employees or Representatives as may require access to the Confidential Information on a strict need-to-know basis in the proper performance of the Deed; or

(b) to the extent necessary to permit the Commonwealth or a State or Territory to report to that Party's Parliament or its committees or to the relevant Minster or his or her staff, or to such of the Party's government agency(s) or instrumentality(s) to which it is required to disclose such information; or

(c) as is reasonably necessary for the conduct of legal proceedings by a Party; or

(d) as required by law.

## 30 CONFLICT OF INTEREST

### 30.1 Plant Health Australia obligations

30.1.1 Plant Health Australia warrants that, to the best of its knowledge after making diligent inquiry, at the date of this Deed no conflict of interest exists or is likely

to arise for the performance of its obligations under this Deed by itself or by its officers, employees, agents or contractors.

30.1.2 If during the term of this Deed a conflict of interest arises, or appears likely to arise, Plant Health Australia undertakes to notify the other Parties immediately in writing and to take such steps as the other Parties may reasonably require to resolve or otherwise deal with the conflict.

30.1.3 Plant Health Australia must not, and must ensure that its officers, employees, agents or contractors do not, engage in any activity or obtain any interest during the term of this Deed that is likely to conflict with or restrict the conduct of the Deed by Plant Health Australia fairly and independently.

## 31 NOTICES

### 31.1 Service of Notices

31.1.1 Any notice, request or other communication to be given or served by a Party or Parties on another Party or other Parties pursuant to this Deed (**Notice**) must be in writing and addressed to the contact officer of the Party or Parties at the physical, postal or email address set out in Schedule 2, or to such other person or address as may be advised by a Party to the other Parties from time to time.

### 31.2 Deemed time of service of Notices

31.2.1 A Notice will be deemed to have been duly served:

(a) if delivered by hand, upon delivery;

(b) if in the form of a letter sent by pre-paid ordinary post within Australia, upon the expiration of seven business days after the date on which it was sent, provided that deemed receipt of a Notice by letter may be rebutted by proof of non-receipt;

(c) if in the form of a letter posted to or from a place outside Australia, upon delivery; and

(d) if sent by email, when the sender receives a return receipt from the intended recipient's email system indicating that the email has been received.

## 32 INTELLECTUAL PROPERTY

32.1.1 This Deed will not affect the ordinary operation of principles of Intellectual Property. However, each Party which creates (or the personnel of which create)

materials for the purposes of this Deed in which Intellectual Property rights subsist (including materials created for the NMG, the CCEPP or the Categorisation Group) grants a royalty free, perpetual, irrevocable licence to the other Parties to use those materials for the purposes of undertaking the activities contemplated by the Deed.

## 33 ADJUSTMENT OF THRESHOLDS

33.1.1 In this clause 33, "CPI" means the weighted average of the All Groups Price Index Numbers for the eight capital cities of the States and Territories of Australia published from time to time by the Australian Bureau of Statistics (ABS) or, if that index number is no longer published, its substitute as a cumulative indicator of the inflation rate in Australia.

33.1.2 The amount of $20 million set out in clauses 9.5.2(c), 9.10.1(a), 9.10.2(b)(i) and 9.11.1(a)(i) will be adjusted as at 1 July each year after 30 June 2020 using the change in the CPI over the four quarters that have been most recently published by the ABS at that date.

[Note: For example, at 30 June 2021, the figure of $20 million in the clauses referred to in clause 33.1.2 would be increased by the increase in the CPI over the period from 1 April 2020 to 30 March 2021.]

## EXECUTED as a DEED

| | |
|---|---|
| **Signed sealed and delivered** on [insert date] by **PLANT HEALTH AUSTRALIA LIMITED (ABN 97 092 607 997)** in the presence of: | )<br>)<br>) EXECUTED |
| _____ | _____ |
| Director | (*name printed*) |
| _____ | _____ |
| Director/Secretary | (*name printed*) |
| **Signed sealed and delivered** on [insert date] by **THE COMMONWEALTH OF AUSTRALIA (ABN 24 113 085 695)** by its authorised officer in the presence of: | )<br>)<br>) EXECUTED_____ |
| Witness: _____ | |
| _____ | |
| (*witness name printed*) | |
| **Signed sealed and delivered** on [insert date] by **THE STATE OF QUEENSLAND (ABN 78 342 684 030)** by its authorised officer in the presence of: | )<br>)<br>) EXECUTED _____ |
| Witness: _____ | |
| _____ | |
| (*witness name printed*) | |

**Signed sealed and delivered** on [insert date] by **THE NEW SOUTH WALES DEPARTMENT OF PRIMARY INDUSTRIES (ABN 51 734 124 190-004) for and on behalf of THE STATE OF NEW SOUTH WALES** by its authorised officer in the presence of:

)
)
)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **THE STATE OF VICTORIA (ABN 90 719 052 204)** by its authorised officer in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**The Common Seal** of the **MINISTER FOR AGRICULTURE, FOOD AND FISHERIES** of the State of South Australia was affixed on [insert date] in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **THE CROWN IN RIGHT OF THE STATE OF TASMANIA (ABN 58 259 330 901)** by its authorised officer in the presence of:

)
)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **THE STATE OF WESTERN AUSTRALIA (ABN 18 951 343 745)** by its authorised officer in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **THE NORTHERN TERRITORY OF AUSTRALIA (ABN 84 085 734 992)** by its authorised officer in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **THE AUSTRALIAN CAPITAL TERRITORY (ABN 37 307 569 373**) by its authorised officer in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **APPLE AND PEAR AUSTRALIA LTD. (ACN 101 551 348)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN BANANA GROWERS' COUNCIL INC. (ABN 60 381 740 734)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN CANE GROWERS' COUNCIL LTD. (ABN 26 051 583 549)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **CITRUS AUSTRALIA LTD. (ABN 75 130 238 792)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **COTTON AUSTRALIA LTD. (ABN 24 054 122 879)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN HONEY BEE INDUSTRY COUNCIL INC. (ABN 63 939 614 424)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN MANGO INDUSTRY ASSOCIATION LTD. (ABN 50 713 775 301)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSVEG LTD. (ABN 25 107 507 559)** in the presence of: in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AVOCADOS AUSTRALIA LTD. (ABN 87 105 853 807)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **GRAINS COUNCIL OF AUSTRALIA INC. (ABN 66 675 415 182)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **QUEENSLAND FRUIT AND VEGETABLE GROWERS LTD. (GROWCOM) (ABN 51 090 816 827)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **RICEGROWERS' ASSOCIATION OF AUSTRALIA INC. (ABN 65 191 537 636)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **STRAWBERRIES AUSTRALIA INC. (ABN 53 635 363 679)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **SUMMERFRUIT AUSTRALIA LTD. (ABN 51 105 962 196)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN MACADAMIA SOCIETY LTD. (ABN 19 010 689 415)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **ALMOND BOARD OF AUSTRALIA INC. (ABN 31 709 079 099)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN DRIED FRUIT ASSOCIATION INC. (ABN 88 658 293 079)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN OLIVE ASSOCIATION LTD. (ABN 57 072 977 489)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIA PROCESSING TOMATO RESEARCH COUNCIL INC. (ABN 33 014 204 969)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN TABLE GRAPE ASSOCIATION INC. (ABN 69 953 034 946)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN WALNUT INDUSTRY ASSOCIATION INC. (ABN 26 468 336 213)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **CANNED FRUIT INDUSTRY COUNCIL OF AUSTRALIA LTD. (ACN 051 989 336)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **CHERRY GROWERS OF AUSTRALIA INC. (ABN 77 797 945 686)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **PISTACHIO GROWERS ASSOCIATION INC. (ABN 24 020 078 504)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **CHESTNUTS AUSTRALIA INC. (ABN 11 727 740 190)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN FOREST PRODUCTS ASSOCIATION LTD. (ABN 11 727 740 190)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN GINGER INDUSTRY ASSOCIATION INC. (ABN 97 981 376 529)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **RASPBERRIES AND BLACKBERRIES AUSTRALIA INC. (ABN 42 861 675 811)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **HAZELNUT GROWERS OF AUSTRALIA INC.** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN MELON ASSOCIATION INC. (ABN 36 990 325 012)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN SWEETPOTATO GROWERS INC. (ABN 82 577 850 667)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN LYCHEE GROWERS ASSOCIATION INC. (ABN 45 591 381 594)** in the presence of:

)
)
) EXECUTED

Witness:

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN TEA TREE INDUSTRY ASSOCIATION LTD. (ABN 48 077 019 204)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN TRUFFLE GROWERS ASSOCIATION INC. (ABN 57 816 021 891)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **AUSTRALIAN GRAPE AND WINE INC. (ABN 45 903 873 163)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **GREENLIFE INDUSTRY AUSTRALIA LTD. (ABN 59 634 584 017)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

**Signed sealed and delivered** on [insert date] by **PASSIONFRUIT AUSTRALIA INC. (ABN 98 212 907 857)** in the presence of:

)
)
) EXECUTED_____

Witness: _____

_____

(*witness name printed*)

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# Schedule 1 Principles for interpretation of the Deed

**(Clause 1.2)**

1.1 Words in the singular include the plural and words in the plural include the singular.

1.2 To the extent of any conflict between the terms and conditions contained in the clauses of this Deed and any provisions of the Schedules, the clauses will take precedence over the provisions of the Schedules.

1.3 All sums of money and all payments made under this Deed will be in Australian dollars, and the symbol "$" will be interpreted to mean Australian dollars.

1.4 When the last day of any period prescribed or allowed by this Deed for the doing of any thing falls on a Saturday, on a Sunday or on a day that is a public holiday or a bank holiday in the place where that thing is to be done or may be done, then the thing may be done on the first day following which is not a Saturday, a Sunday or a public holiday or bank holiday in that place.

1.5 A reference to this Deed means this Deed as modified, amended or varied in accordance with its provisions or any order of a court of competent jurisdiction or applicable law and a reference to another contract, deed, or similar instrument means that other contract, deed or similar instrument (as the case may be) as modified, amended or varied, including any modification, amendment or variation imposed or effected by a court of competent jurisdiction or by an applicable law.

1.6 A reference to an applicable law will mean any applicable statute, Act, code, ordinance, regulation, proclamation or any instrument of subordinate legislation.

1.7 A reference to a statute, Act, code, ordinance, regulation, proclamation or any instrument of subordinate legislation will mean that statute, Act, code, ordinance, regulation, proclamation or instrument of subordinate legislation (as the case may be) as amended, varied or modified from time to time, and will include a reference to any other instruments made under them and to any other statute, Act, code, ordinance, regulation, proclamation or instrument of subordinate legislation which replaces them.

1.8 'Person' will be taken to include a body corporate, an unincorporated association, a firm or partnership (whether limited or unlimited) and an authority or organisation, notwithstanding that any of them may not be legal persons.

1.9 A reference to a thing (including a reference to an amount) is a reference to the whole and each part of the thing.

1.10 A reference to a group of persons is a reference to all of them collectively and to any two or more of them collectively and to each of them individually.

1.11 References to a person include the legal personal representatives, successors and permitted assigns of that person.

1.12 References to writing include any mode of representing or reproducing words in tangible and permanently visible form, and include telex, e-mail and facsimile transmissions.

1.13 An obligation of two or more Parties binds them jointly and severally.

1.14 If a word or phrase is defined, cognate words and phrases have corresponding definitions.

1.15 References to a body which has ceased to exist or has been reconstituted, amalgamated, reconstructed or merged, or the functions of which have become exercisable by any other person or body in its place, must be taken to refer to the person or body established or constituted in its place or the person or body by which its functions have become exercisable.

1.16 References to any matter or thing which is required to be agreed upon by the Parties must be taken to require the agreement of all the Parties to this Deed.

1.17 If a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.

1.18 A day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.

1.19 Words of inclusion, such as ‘includes’, ‘including’ and ‘for example’, must not be interpreted as being exclusive or as words of limitation.

# Schedule 2 **Notices**

**Plant Health Australia Ltd.**

| | |
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**Commonwealth of Australia**

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**The State of Queensland**

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**The State of New South Wales**

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**The State of Victoria**

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**The State of South Australia**

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**The Australian Capital Territory**

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**Apple and Pear Australia Ltd.**

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**Australian Cane Growers' Council Ltd.**

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**Australian Forest Products Association Ltd.**

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**Australian Ginger Industry Association Inc.**

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**Australian Honey Bee Industry Council Inc.**

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**Australian Lychee Growers Association Inc.**

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**Australian Macadamia Society Ltd.**

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**Australian Melon Association Inc.**

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**Australian Processing Tomato Research Council Inc.**

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**Australian Tea Tree Industry Association Ltd.**

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**Australian Truffle Industry Association Inc.**

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**Australian Walnut Industry Association Inc.**

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**Cherry Growers of Australia Inc.**

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**Cotton Australia Ltd.**

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**Hazelnut Growers of Australia Inc.**

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**Passionfruit Australia Inc.**

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**Pistachio Growers Association Inc.**

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**Queensland Fruit and Vegetable Growers Ltd. (Growcom)**

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**Ricegrowers' Association of Australia Inc.**

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**Strawberries Australia Inc.**

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# Schedule 3 Categories of Emergency Plant Pests

**(Clause 7)**

## 1 Categorisation of EPPs

### 1.1 Approach to categorisation

1.1.1 Where geographically a Crop is predominantly regionally based (i.e. the distribution of that Crop is limited to some regions of Australia), categorisation of an EPP affecting such a Crop should be undertaken as if that Crop has a broad national geographic distribution.

1.1.2 Categorisation of an EPP:

(a) for a predominantly regionally based Crop should take into account, in the assessment of impacts of that EPP, significant regional impacts and give these due weighting in assessing national impact; and

(b) which is known to form a Complex, should reflect the impact(s) of that Complex in the assessment of impacts of the EPP.

1.1.3 EPPs will be classified in the following manner:

**Category 1**

These are EPPs which if not eradicated would:

- cause major environmental damage to natural ecosystems; and/or
- potentially affect human health or cause a major nuisance to humans; and/or
- cause significant damage to amenity flora; and
- have relatively little impact on commercial crops.

This category also covers situations where the EPP has a wide range of hosts including native flora and there is considerable uncertainty as to the relative impacts on Crops. In short, it is almost impossible to properly determine which cropping sectors benefit from eradication and to what extent, and in any case the incursion primarily affects native flora and/or amenity plants, and/or is a major nuisance if not a health risk to humans.

The eradication of Category 1 EPPs would have very high public benefits.

**Category 2**

These are EPPs which if not eradicated would:

- cause significant public losses either directly through serious loss of amenity, and/or environmental values and/or effects on households, or indirectly through very severe economic impacts on regions and the national economy, through large trade losses with flow on effects through the economy; and
- impose major costs on the affected cropping sectors such that the cropping sectors would benefit significantly from eradication.

The eradication of Category 2 EPPs would have high public benefits.

**Category 3**

These are EPPs which if not eradicated would primarily harm the affected cropping sectors but there would also be some significant public costs as well (that is, moderate public benefits from eradication). The EPP could adversely affect public amenities, households or the environment, and/or could have significant, though moderate trade implications and/or national and regional economic implications.

The eradication of Category 3 EPPs would have moderate public benefits.

**Category 4**

These are EPPs which if not eradicated would:

- have little or no public cost implications and little or no impacts on natural ecosystems. The affected cropping sectors would be adversely affected primarily through additional costs of production, extra control costs or nuisance costs; and
- generally there would be no significant trade issues that would affect national and regional economies.

The eradication of Category 4 EPPs would have mainly if not wholly private benefits.

## 2 Process for categorisation, review of a category or Funding Weights, or removal from Schedule 13

### 2.1 Process

2.1.1 A concerned Party lodges a substantiated request with Plant Health Australia.

2.1.2 If Plant Health Australia agrees that the evidence presented supports categorisation, review of a category or Funding Weights, or removal from Schedule 13, of a Plant Pest or a Vector, it must within 30 days of receipt refer the request to the Categorisation Group.

2.1.3 If Plant Health Australia advises the concerned Party that it will not, or does not within 30 days of receipt, refer a request for categorisation, or review of a category or Funding Weights, or removal from Schedule 13 of a Plant Pest or a Vector to the Categorisation Group, a Party may appeal that decision to Members at a General Meeting of Plant Health Australia.

2.1.4 Plant Health Australia must convene a Categorisation Group which must meet promptly after receipt of a request from Plant Health Australia and must consider and report on any matter referred to it.

2.1.5 The Categorisation Group must report its findings in respect of category and Funding Weights, or any requested removal from Schedule 13, to Plant Health Australia within 30 days of receipt of the request from Plant Health Australia.

2.1.6 Plant Health Australia must refer the report of the Categorisation Group to the Relevant Parties.

2.1.7 The Relevant Parties must then determine if there is Unanimous agreement between the Relevant Parties in respect of the report of the Categorisation Group by:

(a) voting at a Meeting;

(b) voting at a Meeting following pre-lodgement of votes by the Representative(s) of one or more of the Relevant Parties;

(c) voting at a Meeting subject to subsequent written ratification by the Representative(s) of one or more of the Relevant Parties who are not present at the Meeting;

(d) voting by circulated resolution; or

(e) any other method agreed to by all of the Relevant Parties.

2.1.8 If the Relevant Parties reach a Unanimous agreement in respect of the report of the Categorisation Group by one of the means listed in paragraph 2.1.7, the Relevant Parties must advise Plant Health Australia of the agreement. If that requires a variation to the Deed, Plant Health Australia must take steps to vary the Deed in accordance with the requirements of the Deed.

2.1.9 If the Relevant Parties do not reach a Unanimous agreement in respect of the report of the Categorisation Group, the Board of Plant Health Australia must consider the advice of the Categorisation Group and the response from the Relevant Parties at its first Meeting following the receipt, and make a determination as to the appropriate course of action.

2.1.10 Plant Health Australia must advise the Parties of the Board's determination within 30 days.

2.1.11 The determination is final and a further submission in respect of the EPP status, category or Funding Weights of the Plant Pest or Vector, or its removal from Schedule 13, will not be accepted by Plant Health Australia unless further substantive information becomes available.

## 3 Guide to Parties seeking categorisation, review of a category, or removal from Schedule 13

3.1.1 The request needs to address the implications of the Plant Pest, Vector or Complex for:

(a) public health;

(b) domestic and international markets;

(c) national and regional economies;

(d) plant production;

(e) the environment; and

(f) damage to amenity flora.

3.1.2 The arguments presented should contain qualitative information and quantitative information (when this exists or can be reasonably generated).

3.1.3 In order for the request for categorisation, review of a category, or removal from Schedule 13 to be accepted by Plant Health Australia for consideration, applicants must demonstrate a reasonable basis for undertaking that matter having regard to:

(a) the nature of the Plant Pest, Vector or Complex, such as issues of:

(i) epidemiology/ecology – factors influencing the establishment and spread of the Plant Pest or Vector, such as life cycle, persistence of the organism, modes of transmission;

(ii) aetiology – ie information on the causal organism, such as its virulence;

(iii) susceptibility of plant varieties or plant species;

(iv) world distribution;

(v) resistance and immunity; and

(vi) manner and risk of introduction; and

(b) the impact of the Plant Pest, Vector or Complex on:

(i) public health;

(ii) domestic and international markets for plants, plant products and other goods and services such as tourism;

(iii) national and regional economy(s);

(iv) plant production;

(v) the environment; and

(vi) amenity flora.

**4 Guide to Parties seeking review of Funding Weights**

4.1.1 The request must address the relative impact of the EPP on the Affected Industry Parties.

4.1.2 The arguments presented should contain both qualitative and quantitative information (when it exists or can be reasonably generated).

4.1.3 Plant Health Australia will accept for consideration a request for review of Funding Weights in which applicants demonstrate a reasonable basis for undertaking that review having regard to:

(a) the nature of the EPP, such as issues of:

(i) epidemiology/ecology – factors influencing the establishment and spread of the Plant Pest or Vector, such as life cycle, persistence of the organism, modes of transmission;

(ii) aetiology – ie information on the causal organism, such as its virulence;

(iii) susceptibility of plant varieties or plant species;

(iv) world distribution; and

(v) resistance and immunity; and

(b) the relative impact of the EPP on the Affected Industry Party(s), such as issues of:

(i) plant production costs;

(ii) yield;

(iii) availability of cropping alternatives; and

(iv) trade and market impacts.

# Schedule 4 Development and Management of a Response Plan

**(Clauses 6 and 8)**

## 1 Structure and content of a Response Plan

1.1 A Response Plan submitted for initial approval by the NMG must address all of the following matters:

(a) status report on the Incident;

(b) technical feasibility of eradication of the suspected EPP;

(c) at least preliminary results of a benefit:cost analysis of eradication of the suspected EPP;

(d) detail of the activities to be undertaken as part of the response, including identifying who will undertake each action;

(e) recommended approaches for determining proof of freedom;

(f) indicative budget for each proposed Response Plan activity;

(g) public relations;

(h) circumstances in which the Response Plan must be reviewed, which may include:

(i) a new occurrence of the EPP in a different location;

(ii) reaching a specific point in the indicative budget of the Response Plan or towards the Agreed Limit or the Upper Limit on Expenditure; and

(iii) other indicators of the effectiveness of the Response Plan activities to date.

1.2 The amount of detail of a Response Plan submitted for initial or subsequent approval will depend on the nature and extent of the Incident and stage of the response. Other components may be developed, and their approval sought, in accordance with a timetable agreed by the CCEPP.

## 2 Key roles under the National EPP Training Program

CCEPP representative

NMG representative

Industry Party Delegates (Industry Liaison Officer or Industry Liaison Coordinator)

# Schedule 5 PLANTPLAN Documentation

**(Clause 6.2)**

## 1 PLANTPLAN

1.1 PLANTPLAN, as endorsed by the Parties, is available on the Plant Health Australia web site. As changes are made to this document, endorsement will be obtained from the Parties prior to replacing the superseded version on the Plant Health Australia web site.

## 2 Emergency Plant Pest Strategies

2.1 Emergency Plant Pest Strategies for EPPs listed at Schedule 13 may be available on the Plant Health Australia web site.

# Schedule 6 Cost Sharing

**(Clause 9)**

**1 Government Funding**

**1.1 Determination of proportional split between the Government Parties**

1.1.1 The following formulae will be used to determine the share of each State and Territory of the total Government Party funding.

1.1.2 The Commonwealth share is 50% of the total Government Party share in each case.

**Formulae explanation**

1.1.3 A mean of three years is used, and updated at 1 July each year using ABS source data (including preliminary data for most recent year if available); or if ABS data is not available, using source data provided by the Australian Bureau of Agricultural and Resource Economics, failing which an estimate agreed by the Relevant Parties. The 'Category 1' formula will use figures from the latest human population census.

1.1.4 Production and LVP data are converted to percentage terms to allow addition. The share of an individual State/Territory determined in the last column is divided by two to incorporate the Commonwealth's 50% share.

**1.2 Category 1 formula**

1.2.1 State/Territory proportions based on latest human population census

| [a] | [b] |
|---|---|
| Human population<br>% of national total | Share of total State/ Territory Government funding<br>= [a] divided by 2 |

**1.3 Formula to determine shares of LVP between State/Territory Parties**

A State/Territory Party's proportional share of Local Value of Production of affected Crops in Australia is calculated as follows:

$$\frac{\text{LVP (State/Territory Party)}}{\text{LVP (All State/Territory Parties)}}$$

Where:

**LVP (State/Territory Party)** is the LVP for the affected Crop, Crops or sub-groups of Crops (including forestry production for logs) produced in the State or Territory of that State/Territory Party as at the applicable 1 July;

**LVP (All State/Territory Parties**) is the total LVP for the affected Crop, Crops or sub-groups of Crops (including forestry production for logs) produced in the States and Territories that have representation by a State/Territory Party as at the applicable 1 July.

### 1.4 Formula for proportional shares between State/Territory Parties

1.4.1 State/Territory shares based on LVP — Mean of three years

## 2 Application of the formulae to determine Industry Party shares

### 2.1 Industry Party Funding

2.1.1 The split of costs eligible for Cost Sharing between the Industry Parties, when an EPP affects more than one Crop or concerns more than one Industry Party, will be determined as follows:

### 2.2 Cost Sharing when more than one Industry Party is Affected

2.2.1 When an EPP affects more than one Industry Party, the contributions from the Affected Industry Parties will, subject to clause 9.5.3, be determined having regard to the LVP of the Crop(s) represented by each Industry Party subject to a weighting to reflect the importance of the EPP for that Crop, or Crops, and Industry Party (**Weighted Proportional Contribution**). The Weighted Proportional Contribution will be determined in accordance with the following formula:

$$\text{The individual Industry shares (as \%)} = \frac{LVP_i * W_i}{\sum LVP_i * W_i}$$

where:

$LVP_i$ = LVP of the Industry;

$W_i$ = the Funding Weights for each Industry Party set out in the table below; and

$\sum LVP_i * W_i$ = the sum of (the LVP x the applicable weighting) for each of the Affected Industry Parties

| | *Adoxophyes orana* (Summer fruit tortrix) | *Amyelois transitella* (Navel orangeworm) | *Bactericera cockerelli* Tomato/potato psyllid | *Bactrocera dorsalis* Oriental fruit fly | *Bactrocera papayae* Papaya fruit fly | *Bactrocera philippinensis* Philippine fruit fly | *Candidatus Liberibacter psyllaurous* |
|---|---|---|---|---|---|---|---|
| Almond Board of Australia | | | | | | | |
| Apple and Pear Australia | 47.6 | | | 16.7 | 16.7 | 16.7 | |
| Australian Banana Growers' Council | | | | 16.7 | 16.7 | 16.7 | |
| Australian Cane Growers' Council | | | | | | | |
| Australian Forest Products Association | | | | | | | |
| Australian Ginger Industry Association | | | | | | | |
| Australian Grape and Wine | | | | | | | |
| Australian Honey Bee Industry Council | | | | | | | |
| Australian Lychee Growers Association | | | | | | | |
| Australian Macadamia Society | | | | | | | |
| Australian Mango Industry Association | | | | | | | |
| Australian Melon Association | | | | | | | |
| Australian Olive Association | | | | | | | |
| Australian Processing Tomato Research Council | | | 2.8 | | | | 2.8 |
| Australian Sweetpotato Growers | | | | | | | |
| Australian Table Grape Association | | | | | | | |
| Australian Tea Tree Industry Association | | | | | | | |
| Australian Truffle Industry Association | | | | | | | |
| Australian Walnut Industry Association | | | | | | | |
| AUSVEG | | | 94.3 | 16.7 | 16.7 | 16.7 | 94.3 |
| Avocados Australia | | | | | | | |
| Canned Fruit Industry Council of Australia | | | | | | | |
| Cherry Growers of Australia | | | | | | | |
| Chestnuts Australia | | | | | | | |
| Citrus Australia | | 23.1 | | 16.7 | 16.7 | 16.7 | |
| Cotton Australia | | | | | | | |
| Dried Fruits Australia | | | | | | | |
| Grain Producers Australia | | | | | | | |
| Greenlife Industry Australia | 4.8 | | 2.8 | | | | 2.8 |
| Growcom | | | | 16.7 | 16.7 | 16.7 | |
| Hazelnut Growers of Australia | | | | | | | |
| Passionfruit Australia | | | | | | | |
| Pistachio Growers Association | | | | | | | |
| Raspberries and Blackberries Australia | | | | | | | |
| Ricegrowers' Association of Australia | | | | | | | |
| Strawberries Australia | | | | | | | |
| Summerfruit Australia | 47.6 | | | 16.7 | 16.7 | 16.7 | |

| | *Cryphonectria parasitica* Chestnut blight | *Cryptophlebia leucotreta* False codling moth | *Erwinia amylovora* Fireblight | *Fusarium oxysporum f.sp. cubense* Panama disease (Tropical race 4) | *Halyomorpha halys* Brown marmorated stink bug | *Liberobacter asiaticus* Huanglongbing / Citrus Greening | *Liriomyza sativae* Vegetable leafminer |
|---|---|---|---|---|---|---|---|
| Almond Board of Australia | | | | | | | |
| Apple and Pear Australia | | 17.8 | 75.2 | | 13.7 | | |
| Australian Banana Growers' Council | | | | 97.1 | | | |
| Australian Cane Growers' Council | | | | | | | |
| Australian Forest Products Association | | | | | | | |
| Australian Ginger Industry Association | | | | | | | |
| Australian Grape and Wine | | | | | 4.1 | | |
| Australian Honey Bee Industry Council | | | 22.6 | | | | |
| Australian Lychee Growers Association | | | | | | | |
| Australian Macadamia Society | | | | | | | |
| Australian Mango Industry Association | | | | | | | |
| Australian Melon Association | | | | | | | |
| Australian Olive Association | | | | | | | |
| Australian Processing Tomato Research Council | | | | | 4.1 | | 20.0 |
| Australian Sweetpotato Growers | | | | | | | |
| Australian Table Grape Association | | | | | 4.1 | | |
| Australian Tea Tree Industry Association | | | | | | | |
| Australian Truffle Industry Association | | | | | | | |
| Australian Walnut Industry Association | | | | | | | |
| AUSVEG | | 5.3 | | | 4.1 | | |
| Avocados Australia | | | | | | | |
| Canned Fruit Industry Council of Australia | | | | | 13.7 | | |
| Cherry Growers of Australia | | | | | 4.1 | | |
| Chestnuts Australia | | | | | | | |
| Citrus Australia | | 17.8 | | | | 97.1 | |
| Cotton Australia | | 17.8 | | | 4.1 | | 20.0 |
| Dried Fruits Australia | | | | | 4.1 | | |
| Grain Producers Australia | | 0.5 | | | 4.1 | | 20.0 |
| Greenlife Industry Australia | 2.9 | | 2.3 | 2.9 | 4.1 | 2.9 | 20.0 |
| Growcom | | 17.8 | | | | | |
| Hazelnut Growers of Australia | | | | | 13.7 | | |
| Passionfruit Australia | | | | | | | |
| Pistachio Growers Association | | | | | | | |
| Raspberries and Blackberries Australia | | | | | 4.1 | | |
| Ricegrowers' Association of Australia | | | | | | | |
| Strawberries Australia | | | | | 4.1 | | |
| Summerfruit Australia | | 17.8 | | | 13.7 | | |

| | *Lygus Hesperus* Western plant bug | *Mythimna unipuncta* Armyworm | *Neonectria ditissima* European canker | *Nepovirus Cherry leaf roll virus* Blackline | *Peridroma saucia* Variegated cutworm | *Phymatotrichopsis omnivorum* Cotton root rot | *Potyvirus Plum pox virus* Plum pox virus/sharka |
|---|---|---|---|---|---|---|---|
| Almond Board of Australia | | | | | | | |
| Apple and Pear Australia | | | 60.2 | | | 11.1 | |
| Australian Banana Growers' Council | | | | | | | |
| Australian Cane Growers' Council | | 3.1 | | | | | |
| Australian Forest Products Association | | | | | | | |
| Australian Ginger Industry Association | | | | | | | |
| Australian Grape and Wine | | | | | | 11.1 | |
| Australian Honey Bee Industry Council | | | | | | | |
| Australian Lychee Growers Association | | | | | | | |
| Australian Macadamia Society | | | | | | | |
| Australian Mango Industry Association | | | | | | | |
| Australian Melon Association | | | | | | | |
| Australian Olive Association | | | | | | | |
| Australian Processing Tomato Research Council | | | | | | | |
| Australian Sweetpotato Growers | | | | | | | |
| Australian Table Grape Association | 0.2 | | | | | | |
| Australian Tea Tree Industry Association | | | | | | | |
| Australian Truffle Industry Association | | | | | | | |
| Australian Walnut Industry Association | | | 1.8 | | | | |
| AUSVEG | 12.3 | 31.3 | | | 97.1 | | |
| Avocados Australia | | | | | | | |
| Canned Fruit Industry Council of Australia | | | 18.1 | | | | |
| Cherry Growers of Australia | | | 18.1 | | | | |
| Chestnuts Australia | | | | | | | |
| Citrus Australia | | | | | | 11.1 | |
| Cotton Australia | 7.3 | | | | 2.9 | 11.1 | |
| Dried Fruits Australia | | | | | | | |
| Grain Producers Australia | 55.3 | 31.3 | | | | 11.1 | |
| Greenlife Industry Australia | 3.9 | | 1.8 | | | 11.1 | 23.1 |
| Growcom | | | | | | | |
| Hazelnut Growers of Australia | | | | | | | |
| Passionfruit Australia | | | | | | | |
| Pistachio Growers Association | | | | | | | |
| Raspberries and Blackberries Australia | | | | | | | |
| Ricegrowers' Association of Australia | | 31.3 | | | | | |
| Strawberries Australia | 1 | 3.1 | | | | | |
| Summerfruit Australia | | | | 50.0 | | 11.1 | 76.9 |

| | *Ralstonia solanacearum race 2* Moko | *Tetranychus piercei* Spider mite | *Tribolium castaneum* rust red flour beetle (resistant) | *Trogoderma granarium* Khapra beetle | *Xanthomonas axonopodis pv. Citri* Citrus Canker | *Xylella fastidiosa* Pierce's disease | |
|---|---|---|---|---|---|---|---|
| Almond Board of Australia | | | | | | | |
| Apple and Pear Australia | | | | | | | |
| Australian Banana Growers' Council | 97.1 | 45.5 | | | | | |
| Australian Cane Growers' Council | | | | | | | |
| Australian Forest Products Association | | | | | | | |
| Australian Ginger Industry Association | | | | | | | |
| Australian Grape and Wine | | | | | | 25.0 | |
| Australian Honey Bee Industry Council | | | | | | | |
| Australian Lychee Growers Association | | | | | | | |
| Australian Macadamia Society | | | | | | | |
| Australian Mango Industry Association | | | | | | | |
| Australian Melon Association | | | | | | | |
| Australian Olive Association | | | | | | | |
| Australian Processing Tomato Research Council | | | | | | | |
| Australian Sweetpotato Growers | | | | | | | |
| Australian Table Grape Association | | | | | | | |
| Australian Tea Tree Industry Association | | | | | | | |
| Australian Truffle Industry Association | | | | | | | |
| Australian Walnut Industry Association | | | | | | | |
| AUSVEG | | 45.5 | | | | | |
| Avocados Australia | | | | | | | |
| Canned Fruit Industry Council of Australia | | | | | | | |
| Cherry Growers of Australia | | | | | | | |
| Chestnuts Australia | | | | | | | |
| Citrus Australia | | | | | 97.1 | | |
| Cotton Australia | | | | | | | |
| Dried Fruits Australia | | | | | | | |
| Grain Producers Australia | | 4.5 | 50 | 50 | | | |
| Greenlife Industry Australia | 2.9 | 4.5 | | | 2.9 | 25.0 | |
| Growcom | | | | | | | |
| Hazelnut Growers of Australia | | | | | | | |
| Passionfruit Australia | | | | | | | |
| Pistachio Growers Association | | | | | | | |
| Raspberries and Blackberries Australia | | | | | | | |
| Ricegrowers' Association of Australia | | | 50.0 | 50.0 | | | |
| Strawberries Australia | | | | | | | |
| Summerfruit Australia | | | | | | 25.0 | |

2.2.2 The resultant Weighted Proportional Contributions will be determined, when required due to an Incident or on the written request of a Party by Plant Health Australia, using LVP 3-year moving averages, and circulated to the Parties.

2.2.3 An Industry Party may appeal its Weighted Proportional Contribution by lodging a request for review within 28 days of their publication by Plant Health Australia. If a request for review is not lodged within that time, the Weighted Proportional Contributions are binding on the Industry Parties. A request for review must be referred by Plant Health Australia to a General Meeting of the Members of Plant Health Australia. Where the Weighted Proportional Contributions are varied by the General Meeting of Members, the variations take effect from the date on which the request for consideration by Members was notified to Plant Health Australia.

2.2.4 Where the Funding Weights for each Industry Party are not agreed within 5 days of the commencement of a Response Plan, the costs for the EPP Response are to be shared equally by the Affected Industry Parties until the Funding Weights are determined by Plant Health Australia in consultation with the Affected Industry Parties. If agreement cannot be reached within 15 days of the commencement of the Response Plan the Funding Weights must be determined by Plant Health Australia. An Affected Industry Party may appeal the relative Funding Weights to a General Meeting of the Members of Plant Health Australia. Where the Funding Weights and thus proportional shares are varied by the General Meeting of Members, Weighted Proportional Contributions will be varied from the date on which the request for consideration by Members was notified to Plant Health Australia.

**2.3 Cost Sharing where more than one Industry Party represents a Crop**

2.3.1 When more than one Industry Party represents a Crop, the manner of Cost Sharing between those Industry Parties will be determined amongst them. If they have not advised Plant Health Australia of their manner of apportionment for Cost Sharing, they will be equally responsible for meeting costs for which their Crop is liable under this Deed.

**3 Determination of Proportional Shares**

**3.1 Determination of Proportional Shares of an Agreed Limit or Reimbursement Limit when there is more than one Affected Industry Party**

In order to determine the Proportional Share that each Affected Government Party and Industry Party may be required to contribute to Cost Sharing if the Agreed Limit or

Reimbursement Limit is reached in circumstances in which there is more than one Industry Party Affected by an EPP, the calculations set out below may be followed.

3.1.1 Determine the LVP for each of the Crops represented by the Relevant Industry Parties.

3.1.2 Calculate the aggregate LVP for the Relevant Industry Parties.

3.1.3 Calculate the percentage set out in clause 9.5.3 (or such other percentage as is agreed in writing by the Affected Parties) of the aggregate LVP.

3.1.4 Determine the dollar shares of the Government Parties (in total) and Industry Party(s), using the percentages applying to the relevant category as described in clause 9.2.1.

3.1.5 Determine the dollar shares of:

(a) each of the Government Parties, using the percentages obtained by application of the relevant formula described in Part 1 of Schedule 6; and

(b) each of the Industry Parties (in the case of an EPP affecting more than one Crop, or in the case where more than one Industry Party represents a Crop), using the percentages obtained by application of the relevant formula described in Part 2 of Schedule 6.

**3.2 Changes in LVP**

3.2.1 The Cost Sharing arrangements in place at the adoption of a Response Plan will, unless agreed in writing by all Affected Parties, remain for the period of the Response Plan, notwithstanding any changes in the LVP in the course of the Response Plan.

**3.3 Sub groupings of Crops represented by an Industry Party**

3.3.1 For the purposes of determination of Agreed Limits, Reimbursement Limits and Proportional Shares under clauses 9.5 to 9.7, the following sub groupings apply:

**Party:** Australian Vegetable and Potato Growers Inc

Sub groupings:
1. Potatoes (includes all forms of potatoes)
2. Vegetables (includes all vegetable Crops represented by AUSVEG other than those covered by sub grouping 1)

**Party:** Grain Producers Australia Ltd

Sub groupings:
1. Wheat
2. Barley
3. Canola
4. Pulses
5. Other coarse grains
6. Other oilseeds

**Party:** Apple and Pear Australia Ltd

Sub groupings:
1. Apples
2. Pears

3.3.2 When more than one Industry is Affected by an EPP and one or more of those Industries represents multiple Crops, the Proportional Shares must be determined using the LVP of the Affected Crops.

## 4 Determination of costs

### 4.1 Salaries and Wages

4.1.1 Salary or consultancy fees of staff/consultants who are, or would be, engaged by a Government Party or an Industry Party, irrespective of the implementation of the Response Plan, are not eligible for Cost Sharing.

4.1.2 Salaries or consultancy fees for staff/contractors engaged by a Party to assist directly with eradication, and for staff/contractors engaged to backfill positions of existing permanent staff who are assisting directly with eradication, will be eligible for Cost Sharing, subject to the guidelines detailed in PLANTPLAN and the formal approval of the National Management Group.

4.1.3 Salaries or wages of staff seconded across State or Territory borders will not be eligible for Cost Sharing, but salaries or wages of staff/contractors engaged to backfill positions of seconded staff will be eligible for Cost Sharing, subject to the guidelines detailed in PLANTPLAN and the formal approval of the National Management Group.

4.1.4 Allowances for staff/consultants engaged in the implementation of a Response Plan will be eligible for Cost Sharing. These will include meal allowances, district allowances, penalty rates and accommodation assistance.

4.1.5 Payroll tax, workers' compensation, superannuation and leave for staff especially recruited as a result of the implementation of a Response Plan will be eligible for Cost Sharing.

4.1.6 Overtime incurred directly as a result of the implementation of a Response Plan will be eligible for Cost Sharing.

4.1.7 Fees and allowances of contractors engaged by the Government Parties to implement a Response Plan will be eligible for Cost Sharing up to the level of a fees and allowances structure approved by Plant Health Australia, or such other relevant fee structure.

**4.2 Operating Expenses**

Operating expenses directly incurred by a Party undertaking activities required by a Response Plan will be eligible for Cost Sharing subject to the following conditions:

4.2.1 For activities provided internally by a State/Territory Government agency, the cost of additional staff and additional operating costs incurred as a result of undertaking activities required by the Response Plan will constitute Shared Costs.

4.2.2 For laboratory services provided to a State/Territory Government by an external source to assist in the implementation of a Response Plan, the costs which may become Shared Costs will be:

(a) when the specified contracted level of service is exceeded, an amount equivalent to the marginal cost incurred in 4.2.1 by a comparable government laboratory for that additional service; and

(b) when there is no specified contracted service level, an amount not exceeding the full price that would be charged by a comparable government laboratory for those services.

4.2.3 Stores and equipment purchased for the implementation of a Response Plan for which the cost is eligible for Cost Sharing will be valued:

(a) on the Response Plan Completion Date and will be sold within 60 days of the Response Plan Completion Date, or

(b) if disposed of prior to the Response Plan Completion Date, at the time of disposal.

4.2.4 The proceeds of any sale, or equivalent valuation, will be distributed to the Parties in the same proportions as their Cost Sharing obligations.

4.2.5 Any variation from this procedure can only be made with the approval of the Parties.

4.2.6 Costs payable to volunteer emergency services and Defence personnel may be eligible for Cost Sharing, but are limited to operational, out-of-pocket or incidental expenses and do not include personal expenses.

**4.3 Capital Costs**

4.3.1 Capital expenditure on major items such as motor vehicles or buildings will not be eligible for Cost Sharing. The working life of such capital items would normally be expected to extend far beyond any eradication effort funded under the Response Plan and there is every possibility they could be utilised in other ongoing programs.

4.3.2 Essential equipment required for the immediate servicing needs of a Response Plan will be eligible for Cost Sharing.

4.3.3 Any equipment purchased with funds which have subsequently been subjected to Cost Sharing will be dealt with as in Operating Expenses paragraphs 4.2.3 and 4.2.4 above.

**4.4 Owner Reimbursement Costs**

4.4.1 This Part 4.4 of Schedule 6 sets out which payments by a Government Party to an Owner (**Owner Reimbursement Costs**) may be eligible for Cost Sharing pursuant to the Deed. Owner Reimbursement Costs that are eligible for Cost Sharing may relate to:

(a) direct eradication costs incurred by the Owner that are additional to ordinary operating costs;

(b) the value of Crops destroyed; and

(c) costs and losses resulting from an order being given that a property lie fallow for a period specified in any of paragraphs 4.4.13, 4.4.14, 4.4.15 and 4.4.16 (**Fallow Period**),

when those steps are taken for the purpose of eradication or prevention of the spread of an EPP and as a consequence of the implementation of:

(d) a Response Plan; or

(e) Emergency Containment during the Incident Definition Phase in respect of an Incident:

(i) that does not proceed a Response Plan; and

(ii) in respect of which the NMG has determined, pursuant to clause 9.1.2, that Owner Reimbursement Costs should be subject to Cost Sharing in accordance with this Deed in the absence of a Response Plan.

4.4.2 References in this Part 4.4 of Schedule 6 and Schedule 17 to ORCs arising as a result of the implementation of a Response Plan will also apply when the NMG has made a decision pursuant to clause 9.1.2 to Cost Share ORCs in the absence of a Response Plan.

4.4.3 Owner Reimbursement Costs may be payable to an Owner in accordance with this Part 4 of Schedule 6 in respect of the period during which the Owner's property is subject to a Response Plan.

4.4.4 Owner Reimbursement Costs are only payable to the 'Owner'.

Note: Payments in respect of some actions taken by an Owner under a Response Plan may be Operational Costs of the Lead Agency payable under that cost centre rather than as Owner Reimbursement Costs.

**Claims, valuations and payments**

4.4.5 A claim for Owner Reimbursement Costs must be made to the Lead Agency by, or on behalf of, the Owner within 90 days after:

(a) the date of destruction of the Crops or other property; and/or

(b) the date on which an Owner as part of a Response Plan receives an order for a Fallow Period.

4.4.6 The value of Owner Reimbursement Costs that are eligible for Cost Sharing will be assessed in accordance with the provisions of this Part 4 of Schedule 6 by a person nominated in a Response Plan or, if no person is so nominated, by Plant Health Australia.

4.4.7 An appeal against a valuation must be made to the Lead Agency in writing by, or on behalf of, the Owner within 30 days of receipt of notification:

(a) of the valuation of destroyed plant or plant products; or

(b) in respect of a Fallow Period, that the property is eligible to be re-sown or replanted.

4.4.8 Owner Reimbursement Costs must be paid to an Owner by the applicable State/Territory within 60 days of the completion of the valuation pursuant to paragraph 4.4.6. A State or Territory may make a full or partial payment of

anticipated Owner Reimbursement Costs to an Owner at any time, in particular in circumstances of hardship or if payment is required to be made by any applicable State or Territory legislation. The amount of the Owner Reimbursement Costs that will be eligible for Cost Sharing will be as determined in the valuation.

**Relevant date for purposes of valuation**

4.4.9 The estimated Farm Gate Value of Crops for the purposes of Owner Reimbursement Costs will be determined as at:

(a) the date of destruction of the plants and/or plant products in accordance with a Response Plan (but on the basis set out in paragraph 4.4.10); or

(b) the date of destruction of the Plant Pest or Vector affecting (and which destroys the economic value of) the Crops in accordance with a Response Plan, which date may be retrospective; or

(c) the date of imposition of a Quarantine order relating to the land subject to a Response Plan requiring a Fallow Period,

and, if more than one of those dates is applicable, whichever is the earlier date will be used.

**Inclusion in Owner Reimbursement Costs**

4.4.10 Owner Reimbursement Costs include:

(a) direct eradication costs incurred by the Owner that are additional to ordinary operating costs;

(b) the estimated Farm Gate Value of a Crop destroyed, or of a Crop the economic value of which is destroyed, as a consequence of the implementation of a Response Plan in accordance with this Deed (with that Farm Gate Value being determined as at the date referred to in paragraph 4.4.9);

(c) the loss of the estimated Farm Gate Value of Crops foregone, less the costs of production, resulting from a requirement under a Response Plan that, for a specified period, land be left fallow (with that Farm Gate Value being determined as at the date referred to in paragraph 4.4.9); and

(d) costs above normal operating costs resulting from the Response Plan such as additional pest control measures, and special cleaning of machinery and equipment,

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Exclusions from Owner Reimbursement Costs**

4.4.11 No Owner Reimbursement Costs (or any such part of the Owner Reimbursement Costs otherwise payable as the CCEPP thinks reasonable) are payable under this Deed to any Owner if the Owner has been convicted of an offence under any Act or regulations which is directly related to the eradication of the EPP to which the claim for Owner Reimbursement Costs relates.

4.4.12 Owner Reimbursement Costs will not include:

(a) the difference in Farm Gate Value between the Owner's preferred Crop and an alternative Crop or agricultural use as a result of action taken under, or a Quarantine requirement of, a Response Plan; and

(b) the actual cost of replanting a replacement Crop, except in respect of Perennial Tree/Vine/Nut Crops and Broadacre Perennial Crops.

**Valuation methodology in respect of Crop destruction and post-host destruction Crop strategies**

**4.4.13 Annual Broad Acre Crops**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – B) + C + D + E – F + G

where:

A = Estimated farm gate value of the Crop(s) destroyed which would otherwise have been harvested, where the timing of valuation is normal harvest time.

= a * y * p

where:

a = area of Crop destroyed

y = estimated yield of the Crop destroyed

$$= \frac{\text{regional average yield in year t} \ * \ \text{Claimant's yield in year t–1}}{\text{regional average yield in year t–1}}$$

Where the whole district is seriously affected by the pest being eradicated and regional yields are clearly distorted, the yield (y) for the determination of Owner Reimbursement Costs paid by the applicable State/Territory will be taken as the regional average for the five years to year t–1.

Yields protected by insurance policies would be protected under this Method of Valuation (to the extent that the Owner is not able to recover under the insurance policy) and any insurance premiums are not to form part of Owner Reimbursement Costs.

p = estimated farm gate price (local silo cash price less transport costs between farm gate and silo) at the time of harvest. Specifically, the average price for the two calendar months over which the bulk of regional harvest takes place. Where no cash prices are posted, prices are to be taken as the estimated pool return for the type and quality of Crop which was destroyed. In the event that an Owner has taken out a forward contract to deliver grain at a specific price, assessment of 'p' is to be based on this contract price rather than the cash silo price. Price is to reflect the quality of product that would otherwise have been delivered. Owners would need to demonstrate quality by way of variety sown and/or recent farm history.

In the event of there being no obvious local delivery point where cash prices are posted, the average district price (based on deliveries to closest end users or port) is to be used as the basis for payment.

B = 'Best practice' harvesting costs plus any other costs normally associated with Crop production between the time of Crop destruction and harvest.

Such costs are to be standardised for the region based on estimates by State/Territory departments of agriculture.

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of profits from fallow land in subsequent years where land is required to be fallowed as part of the Response Plan.

Owner Reimbursement Costs are to be restricted to loss of profits for a maximum of three years. Methods of estimating loss of profits are the same as for the year in which the Crop is destroyed and include deductions for ground preparation and planting costs normally associated with Crop production. Such costs are to be standardised, based on 'best practice' and estimated by State/Territory departments of agriculture. Any payment of Owner Reimbursement Costs by the applicable State or Territory is to be made after harvest in that region each year.

F = Profits that could be earned from the next best alternative enterprise, produced with the same resources, on the land where the Crop is destroyed and permitted by the Response Plan.

Unless the Response Plan requires the land to be fallow, deductions are to be made on the assumption that the Owner chooses the next most profitable enterprise that could be undertaken with existing capital equipment. Gross margins for these alternative enterprises are to be standardised, based on 'best practice' and estimated by State/Territory departments of agriculture. This applies only in the year in which the Crop is destroyed. Where a strict fallow in subsequent years is not required under the Response Plan — that is, any alternative enterprise can be undertaken except production of the Crop concerned in the Response Plan, Owner Reimbursement Costs are not to include the difference in profits for the Crop in question and any alternative enterprise.

G = Value of any stored grain or other produce on-farm destroyed as part of the Response Plan. The value is to be in-silo value based on local market values less transport and handling costs at the time of destruction of the stored grain.

Where a Crop has to be destroyed shortly after planting and there is a reasonable opportunity to plant an alternative Crop, the Owner may choose to be reimbursed for the costs of destroying the Affected Crop and planting the alternative Crop. Otherwise, the above formula will apply.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

### 4.4.14 Annual Short Rotation Crops (Vegetables/Strawberries/Nursery Seedling Producers/Nursery Wholesale)

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – B) + C + D + E – F + G

where:

A = Estimated farm gate value of the Crop(s) destroyed.

= a * y * p

where:

a = area of Crop destroyed

y = yield

or a and y might refer to number of units expected to be sold, such as a number of punnets of seedlings.

The yield estimate is to take into account the type of Crop destroyed. Strawberries, for example, have a high yield in the first year, but a much lower yield in the second year.

p = farm gate price

= either:

- the average market price for the season in the region or marketplace where normal sales take place; or
- where there are signed contracts with the price stipulated on the contract, the contract price

less any transport or selling costs.

B = Harvesting costs plus any other costs normally associated with Crop production between the time of Crop destruction and selling or harvesting. This is to include normal treatment or packaging and handling costs on farm for some harvested produce (for example washing or dipping of products).

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense — including cleaning of equipment or glasshouses etc.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of profits from a Response Plan requirement to fallow land or keep glasshouses empty.

These ORC are only available where the Response Plan requires a fallow period that exceeds ten weeks and are to be restricted to loss of profits for a maximum of three years. Profits are to be based on standardised gross margins data from State/Territory departments of agriculture, based on 'best practice'. However, in some cases, for example where glasshouses are involved, profit estimates may need to be based on documentation of profits from previous years.

F = Profits that could be earned from the next best alternative enterprise, produced with the same resources, on the land where the Crop is destroyed and permitted by the Response Plan - as determined in accordance with the definition of 'F' in paragraph 4.4.13.

G = Value of any stored produce on farm destroyed as a directive of the Response Plan — as for annual broadacre Crops.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**4.4.15 Perennial Trees/Vine Crops/Nut Crops/Nursery Bare Root Stock production/Large Bare Rooted Plants**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – B) + C + D + E + F + G + H + I

where:

A = Loss of profit from the current Crop destroyed.

= a * y * p

where

a = area of tree Crop destroyed

y = expected yield based on Owners' past records, taking into account any biennial bearing patterns. In particular, Owners claiming above average yields (and prices) must produce auditable records of above average returns in previous years to justify additional amounts in Owner Reimbursement Costs.

If the Owner has no records, the regional average for that Crop is to be used.

p = market price at farm gate at harvest time

B = Harvesting costs based on 'best practice' as estimated by State/Territory departments of agriculture, plus any other costs (such as watering or pruning costs) normally associated with Crop production between the time of tree destruction and harvest.

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of net profits for any fallow period required by a Response Plan.

Net profit is to be standardised based on regional gross margins calculations for the Crop in question by State/Territory departments of agriculture.

F = Tree destruction costs 'depreciated' depending on the age of the orchard in relation to a standardised period of rotation for the tree Crop in question.

Depreciation is to be based on a straight line method between full cost reimbursement at the beginning of commercial production of the rotation and the end of the rotation.

G = 'Depreciated' tree replanting costs as for tree destruction costs.

H = 'Depreciated' loss of profit during the non-bearing period of immature trees.

I = Value of any stored produce on farm destroyed as a directive of the Response Plan including seed or nuts — as for annual broadacre Crops.

If there is an opportunity following the Response Plan for modernising or upgrading the orchard — for example, closer tree plantings, more expensive varieties, or trellis plantings, the level of Owner

Reimbursement Costs is to be related strictly to replacing the asset that was there. If an Owner wants to introduce more technology or better infrastructure, for example, the Owner must cover any additional costs.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

#### 4.4.16 Broad Acre Perennial Crops

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A-H) + B + C + D + E + F + G

where

A = Value of the Crop destroyed

= a * y * p

where

a = Area of Crop destroyed.

y = Yield which depends on the type of Crop destroyed — for sugar, for example, whether it is a plant Crop or ratoon Crop as yields vary from year to year. For this reason, yield y is to be based on distinct average yields for the type of Crop destroyed — for example, ratoon or plant Crop.

p = Market price of the product.

= The average regional market price over the previous 12 months valued at farm gate.

B = Any costs of Crop destruction 'depreciated' in the same way as for perennial tree Crops.

C = Any other costs incurred by the Owner as a direct result of the Response Plan and not normally incurred as a production cost.

D = 'Depreciated' Crop replanting costs as for perennial tree Crops.

E = Loss of net profit from compulsory fallow, where fallow would not normally be part of the rotation cycle. Net profit to be standardised and based on regional gross margin estimates by State/Territory

departments of agriculture averaged over the rotation cycle. A maximum of three years fallow is to be included.

F = Replacement value of any capital items destroyed as part of the Response Plan.

G = Value of any stored produce on farm destroyed as a directive of the Response Plan — as for annual broadacre Crops.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

H = 'Best practice' harvesting costs plus any other costs normally associated with Crop production between the time of Crop destruction and harvest. Such costs are to be standardised for the region based on estimates by State/Territory departments of agriculture.

### 4.4.17 Nursery Root Stock Production and Nursery large rooted plants

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = A + B + C + D

where:

A = Market value or estimated market value of the plants at the time of their destruction.

B = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense. This includes tree destruction costs.

C = Replacement value of any capital items destroyed as part of the Response Plan.

D = Any stocks on hand which are destroyed due to the Response Plan.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

### 4.4.18 Nurseries, Retail

No Owner Reimbursement Costs will be paid under this category.

### 4.4.19 Bees, hives, honey and associated products

Bees and their hives are defined as included under Crops. However for the avoidance of doubt, costs which may be paid as Owner Reimbursement Costs to the owners of bees and their hives are to be calculated as follows:

ORC = A + B + C + D + E + F + G

where:

A = Value of the particular hive destroyed.

B = Value of the queen bee destroyed.

C = Value for the bee colony component.

D = Replacement value for any other capital items destroyed.

E = Any other costs incurred by the beekeeper as a direct result of the Response Plan and not normally incurred.

F = Value of any honey stocks destroyed.

G = the loss of the estimated Farm Gate Value of products foregone, less beehive operating costs, resulting from a requirement under a Response Plan that for a specified period bees be quarantined in, or excluded from, a specified area, if applicable.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

4.4.20 The calculation of the value of the Crops or property must be undertaken upon the basis of a sale at the place at which the Crops were, or property was, when it was destroyed.

4.4.21 Plant Health Australia must consult with the Relevant Parties in varying the guidelines referred to in paragraphs 4.4.10 and 4.4.13 to 4.4.19 inclusive. The issue of guidelines must be approved by the Board of Plant Health Australia. Any Party which seeks to amend an issued guideline may have the matter determined by Members at a General Meeting of Plant Health Australia.

## 4.5 Certification of claims

4.5.1 All claims for Cost Sharing of Shared Costs under this Deed must be certified as true and correct, and as complying with the relevant requirements of this Deed, by:

(a) the senior accounting officer and the Chief Plant Health Manager/Australian Chief Plant Protection Officer of the Government Party; or

(b) the senior accounting officer of the Industry Party,

making the relevant claim.

**4.6 False statements**

(a) suspected of having acted with intent to mislead or defraud any of the Parties for the purpose of obtaining Owner Reimbursement Costs for himself/herself/itself or any other person under this Deed;

(b) suspected of having knowingly made a statement which is in any respect false or misleading; or

(c) suspected of fraudulent practices or of being concerned in any fraudulent act,

must be reported by any Party which becomes aware of that information to the relevant authorities for appropriate action.

# Schedule 7 Funding of Cost Sharing Obligations

**(Clause 10)**

**1 Payment of Industry Party shares of Cost Sharing**

1.1.1 In this Part of this Schedule 'Industry' means an Industry the Cost Sharing obligations of which have been met by the Commonwealth under clause 10.4.2.

**1.2 Industry obligations - repayment of Commonwealth**

1.2.1 The Industry Party must ensure that the Industry repays the Commonwealth within a reasonable period (generally expected to be no longer than 10 years), having regard to the amount paid by the Commonwealth on behalf of the Industry. Repayment must be on the basis of preserving the net present value of the amount paid by the Commonwealth. In that regard, interest on each amount outstanding will accrue from the date on which it was paid by the Commonwealth and is payable at a rate equivalent to the annual inflation rate in respect of each year (or part) during which the amount remains outstanding.

1.2.2 Repayment by an Industry Party may be through statutory levy arrangements or voluntary means. The obligations on Industry Parties which decide on repayment by statutory levy arrangements are outlined in Parts 1.3.1 and 1.4.1(a) and (b) of this Schedule.

1.2.3 In the case of an Industry Party deciding to nominate a voluntary means of repayment, the Industry Party must provide written advice to the satisfaction of the Commonwealth, outlining the proposed voluntary repayment means. Such written advice must be provided to, and agreed to, in advance of the Commonwealth agreeing to underwrite the Industry contribution on such a basis. The Commonwealth reserves the right to refuse to agree to accept a voluntary means of repayment until it is satisfied that the Industry Party has arrangements in place that will ensure the voluntary means will enable the Industry Party to meet its repayment obligations. The Commonwealth reserves the right to seek such supporting evidence and/or written guarantees of an Industry Party as it considers necessary to satisfy itself as to the suitability of a voluntary means of payment.

1.2.4 Regardless of the agreed method of repayment, in the event an Industry is unable to meet the agreed repayment schedule the Commonwealth may, at any time, by written notice to the Industry Party, notify the Industry Party of the amount outstanding. On receipt of such a notice the Industry Party is

required to enter into negotiations with the Commonwealth, by such date as is specified in the notice, to establish a new repayment schedule. A new repayment schedule may include, if deemed necessary, a new repayment methodology. Should a new repayment schedule not be agreed within two months of the commencement of negotiations, the Commonwealth reserves the right to initiate arrangements to recover the amount outstanding, together with interest, through statutory levy arrangements.

### 1.3 Industry obligations - levy arrangements

1.3.1 Each of the Industry Parties listed in the following table intends to fund its obligations in the manner indicated in the table.

| Industry Party | Emergency Plant Pest (EPP) Response Levy | |
|---|---|---|
| | Set at zero rate | Set at operative rate |
| Almond Board of Australia Inc. | | ☑ |
| Apple and Pear Australia Ltd. | | ☑ |
| Australian Banana Growers' Council Inc. | ☑ | |
| Australian Cane Growers' Council Ltd. | ☑ | |
| Australian Forest Products Association Ltd. | ☑ | |
| Australian Ginger Industry Association Inc. | ☑ | |
| Australian Grape and Wine Inc. | ☑ | |
| Australian Honey Bee Industry Council Inc. | | ☑ |
| Australian Lychee Growers Association Inc. | | |
| Australian Macadamia Society Ltd. | ☑ | |
| Australian Mango Industry Association Ltd. | | ☑ |
| Australian Melon Association Inc. | ☑ | |
| Australian Olive Association Ltd. | ☑ | |
| Australian Processing Tomato Research Council Inc. | | |
| Australian Sweetpotato Growers Inc. | ☑ | |
| Australian Table Grape Association Inc. | ☑ | |
| Australian Tea Tree Industry Association Ltd. | ☑ | |
| Australian Truffle Industry Association Inc. | | |
| Australian Walnut Industry Association Inc. | | |
| AUSVEG Ltd. | | ☑ |
| Avocados Australia Ltd. | ☑ | |
| Canned Fruit Industry Council of Australia Ltd. | | |
| Cherry Growers of Australia Inc. | | ☑ |
| Chestnuts Australia Inc. | | ☑ |
| Citrus Australia Ltd. | | ☑ |
| Cotton Australia Ltd. | ☑ | |
| Dried Fruits Australia Inc. | ☑ | |
| Grain Producers Australia Ltd. | | ☑ |

| Industry Party | Emergency Plant Pest (EPP) Response Levy | |
|---|---|---|
| | Set at zero rate | Set at operative rate |
| Greenlife Industry Australia Ltd. | ☑ | |
| Growcom | ☑ | |
| Hazelnut Growers of Australia Inc. | | |
| Passionfruit Australia Inc. | | |
| Pistachio Growers Association Inc. | | |
| Raspberries and Blackberries Australia Inc. | | |
| Ricegrowers' Association of Australia Inc. | ☑ | |
| Strawberries Australia Inc. | ☑ | |
| Summerfruit Australia Ltd. | ☑ | |

1.3.2 An Industry Party may elect to adopt a funding mechanism different from that indicated in the table should it wish to do so following consultation with levy payers.

1.3.3 An Industry Party will use its best endeavours to ensure that, within 6 months after it executes this Deed, it has concluded the process required under the Commonwealth Government's Levy Principles and Guidelines relating to the new Emergency Plant Pest (EPP) Response Levy or utilisation of the Plant Health Australia levy to include an Emergency Plant Pest (EPP) component. Should an Incident affecting the Industry Party occur before that process has been concluded, the Industry Party will use its best endeavours to accelerate conclusion of that process.

1.3.4 Following the conclusion of that process, the Commonwealth will take the necessary steps to introduce the legislation or subordinate legislation to give effect to the levy or other arrangements.

**1.4 Industry obligations - Cost Sharing**

1.4.1 If a Cost Sharing obligation arises:

(a) an Affected Industry Party in respect of the Crop, Crops or sub-group of Crops of which the levy was initially set at zero rate, must take steps in accordance with the Commonwealth Government's Levy Principles and Guidelines to ensure that the rate of levy is increased to such operative rate as will enable the Industry Party to meet its repayment obligations to the Commonwealth as set out above;

(b) an Affected Industry Party in respect of the Crop, Crops or sub-group of Crops of which the levy was set at an operative rate, must:

(i) review the amount held in reserve as a result of the levy receipts; and

(ii) if that amount, together with other amounts reasonably expected to be received as a result of future levy receipts, is reasonably considered by it to be insufficient to enable the Industry Party to meet its repayment obligations to the Commonwealth as set out above, the Industry Party must take steps, in accordance with the Commonwealth Government's Levy Principles and Guidelines, to ensure that the rate of levy is increased to such rate as will enable the Industry Party to meet those obligations; and

(c) an Affected Industry Party in respect of the Crop, Crops or sub-group of Crops of which a voluntary means of repayment was agreed with the Commonwealth, must review those arrangements to ensure that the Industry Party can meet its obligations to the Commonwealth as set out above. If it determines that those arrangements will be insufficient to meet its obligations, the Industry Party must ensure that alternative arrangements are established to meet those obligations.

**2 Mechanism for determination of Shared Costs**

2.1.1 The Lead Agency(s) must keep financial details of the Response Plan or the ORCs in the absence of a Response Plan in accordance with clause 12.1.1. The Lead Agency(s) must arrange for external audit of their financial statements relating to the Response Plan or the ORCs in the absence of a Response Plan in accordance with clause 12.4.

2.1.2 The Lead Agency(s) and each Affected Party that has incurred costs which qualify for Cost Sharing should submit to Plant Health Australia, within the required timeframe, a claim in the format provided by Plant Health Australia to the relevant financial officer of the Affected Party. Plant Health Australia may seek such additional information as it considers necessary to enable verification of claims.

2.1.3 Plant Health Australia will coordinate and collate claims for Cost Sharing in accordance with clause 12.1.4 and will maintain records of funds paid by or to Parties in accordance with clause 12.1.6.

2.1.4 Plant Health Australia will sum the claims, together with any costs it has incurred in accordance with clause 9.13, to determine the aggregate amount for Cost Sharing.

2.1.5 Using the Cost Sharing proportions determined in accordance with this Deed, Plant Health Australia will determine the gross amounts payable by each of the Affected Parties.

2.1.6 The amounts (if any) claimed for Cost Sharing are then deducted from the respective gross amounts to determine a net amount payable. Note: For the Lead Agency(s) this net amount can be expected to be negative.

2.1.7 Plant Health Australia will then advise the Affected Parties of the amount payable or amount receivable (if the net amount in the previous paragraph is negative) on a no less than three monthly basis (unless otherwise agreed by the NMG). If there is more than one Affected Party with an amount receivable, Plant Health Australia will advise the amount payable to each of them by each of the remaining Affected Parties. In the case of Industry Affected Parties that have an agreed arrangement with the Commonwealth for meeting their obligations pursuant to clause 9.2 retrospectively, the amount payable by those Affected Parties will be added to the share of the amount payable by the Commonwealth.

2.1.8 The Affected Party(s) with an amount receivable will invoice the other Affected Parties, with payment terms 30 days from the date of invoice.

2.1.9 When a Response Plan is anticipated to last in excess of 6 months, Plant Health Australia must put in place processes (and other Parties must assist it to undertake those processes) to enable interim invoicing and payment of Shared Costs.

## 3 Crop, Crops or sub-group of Crops Represented by Plant Health Australia Members

| Representing Party | Crop Name | Scientific name |
|---|---|---|
| Almond Board of Australia Inc. | Almonds | |
| Apple and Pear Australia Ltd. | Apples | |
| | Pears (excluding Nashi) | |
| Australian Banana Growers' Council Inc. | Bananas | |
| Australian Cane Growers' Council Ltd. | Sugar Cane | |
| | Sugar Cane (cut for plants) | |
| Australian Forest Products Association Ltd. | Exotic plantation softwoods (eg. *Pinus spp.*) | |
| | Native plantation softwoods (eg. *Araucaria spp.*) | |
| | Native plantation hardwoods (eg. *Eucalyptus spp.*) | |

| Representing Party | Crop Name | Scientific name |
|---|---|---|
| Australian Ginger Industry Association Inc. | Ginger | |
| Australian Grape and Wine Inc. | Wine grapes | species of the *Vitis* genus |
| Australian Honey Bee Industry Council Inc. | Beeswax | |
| | Honey | |
| Australian Lychee Growers Association Inc. | Lychee | *Litchi chinensis* |
| Australian Macadamia Society Ltd. | Macadamias | |
| Australian Mango Industry Association Ltd. | Mangoes | |
| Australian Melon Association Inc. | Charentais melon | *Cucumis melo* var. *cantalupensis* |
| | Galia melon | *C. melo* var. *reticulatus* |
| | Hami melon | *C. melo* var. *reticulatus* |
| | Honeydew melons | *C. melo* var. *inodorus* |
| | Horned melon | *C. metuliferus* |
| | Korean melon | *C. melo* var. *makuwa* |
| | Piel de sapo | *C. melo* var. *inodorus* |
| | Rockmelons | *C. melo* |
| | Watermelons | *Citrullus lanatus* |
| Australian Olive Association Ltd. | Olives | |
| Australian Processing Tomato Research Council Inc. | Tomatoes – Canning | |
| Australian Sweetpotato Growers Inc. | Sweetpotato | *Ipomoea batatas* |
| Australian Table Grape Association | Grapes – Tables | |
| Australian Tea Tree Industry Association Ltd. | *Melaleuca alternifolia* (Maiden & Betche) Cheel which is used to produce the essential oil of Melaleuca, terpinen-4-ol type (Tea Tree oil) | |
| Australian Truffle Industry Association Inc. | Truffles | |
| Australian Walnut Industry Association Inc. | Walnuts | |
| AUSVEG Ltd. | Beans - French and Runner | |
| | Beans - French and Runner (for processing) | |
| | Beetroot | |
| | Broccoli | |
| | Brussels sprouts | |
| | Cabbage | |
| | Cabbage (for seed) | |
| | Capsicums, Chillies and Peppers | |
| | Carrot | |

| Representing Party | Crop Name | Scientific name |
|---|---|---|
| | Carrot (for seed) | |
| | Cauliflower | |
| | Cauliflower (for seed) | |
| | Celery | |
| | Chinese Cabbage | |
| | Cucumber | |
| | Eggplant | |
| | Leek | |
| | Lettuce | |
| | Marrows and Squashes | |
| | Onions | |
| | Parsley | |
| | Parsnips | |
| | Peas - Green | |
| | Peas - Green (for processing) | |
| | Peas - Green (for seed) | |
| | Peas - Snow | |
| | Potatoes (fresh and processing) | |
| | Potatoes (for seed) | |
| | Pumpkins, Triambles and Trombones | |
| | Swede | |
| | Sweet Corn | |
| | Zucchini | |
| | All other vegetables **excluding** asparagus, garlic, herbs (other than fresh culinary shallots and parsley), melons, mushrooms, seed sprouts, sweet potatoes, and tomatoes<br>Note: Ginger is not considered a vegetable for the purposes of Crop representation under the EPPRD | |
| Avocados Australia Ltd. | Avocados | |
| Canned Fruit Industry Council of Australia Ltd. | Apricots – Canning | |
| | Peaches - Canning | |
| | Pears – Canning | |
| | Plums - Canning | |
| Cherry Growers of Australia Inc. | Cherries | |
| Chestnuts Australia Inc. | Chestnuts | |
| Citrus Australia Ltd. | Citrus (other) | |
| | Grapefruits | |
| | Lemons and Limes | |
| | Mandarins | |
| | Oranges (Navel) | |
| | Oranges (other) | |
| | Oranges (Valencia) | |
| Cotton Australia Ltd. | Cotton | |

| Representing Party | Crop Name | Scientific name |
|---|---|---|
| Dried Fruits Australia Inc. | Grapes - Dried | |
| Grains Producers Australia Ltd. | Barley | |
| | Canary Seed | |
| | Canola | |
| | Cereal Rye | |
| | Chick Peas | |
| | Cow Peas | |
| | Faba Beans | |
| | Field Peas | |
| | Grains (oilseed) - Linseed, Flax, Linola | |
| | Legumes (grain) | |
| | Lentils | |
| | Lupins | |
| | Maize | |
| | Millet | |
| | Mung Beans | |
| | Navy beans | |
| | Oats | |
| | Peanuts | |
| | Pigeon Peas | |
| | Safflower | |
| | Sorghum | |
| | Soybeans | |
| | Sunflower | |
| | Triticale | |
| | Vetches (for seed) | |
| | Wheat | |
| Greenlife Industry Australia Ltd. | Nursery crops | |
| Hazelnut Growers of Australia Inc. | Hazelnuts | |
| Passionfruit Australia Inc. | Passionfruit | All fruit from the species *Passiflora edulis* and related sub species, including *Passiflora edulis f. edulis* and *Passiflora edulis f. flavicarpa* |
| Pistachio Growers Association Inc. | Pistachios | |
| Queensland Fruit and Vegetable Growers Ltd. (Growcom) | Pineapples | |
| Raspberries and Blackberries Australia Inc. | Blackberries<br>Raspberries | |
| Ricegrowers' Association of Australia Inc. | Rice | |
| Strawberries Australia Inc. | Strawberries | |
| | Apricots | |

| Representing Party | Crop Name | Scientific name |
|---|---|---|
| Summerfruit Australia Ltd. | Interspecific Prunus hybrids | |
| | Nectarines | |
| | Peaches | |
| | Plums | |
| | Stone Fruits | |

# Schedule 8 Consultation

**(Clause 11)**

## 1 The National Emergency Plant Pest Management Group (NMG)

### 1.1 Composition

1.1.1 The NMG, when considering issues in respect of a response to an Incident, an EPP or a Response Plan, will be comprised of a representative of each of the Affected Parties. Those representatives should be:

(a) the Secretary of the Department (Chair);

(b) the Chief Executive Officer or equivalent of the department or agency of each of the Affected State and Territory Government Parties that is responsible for the subject matter of this Deed;

(c) the President, Chairperson (or other officer who is properly authorised in writing to bind the Party) of each of the Affected Industry Parties; and

(d) the Chairperson of Plant Health Australia (non-voting).

### 1.2 Terms of Reference

1.2.1 The NMG will:

(a) receive advice from the CCEPP on technical issues relating to an Incident, EPP or a Response Plan;

(b) receive regular reports from the CCEPP, including budgeted, committed and actual expenditure on a Response Plan;

(c) determine whether there should be Cost Sharing of ORCs in the absence of a Response Plan;

(d) consider the application of Cost Sharing of ORCs for participants in a cropping sector that is not represented by a Party to this Deed (noting that the determination as to whether such Cost Sharing occurs will be made by the Affected Parties);

(e) have responsibility for the key decisions relating to a Response Plan, including:

(i) the approval of a Response Plan, which includes an indicative budget;

(ii) the review of a Response Plan, if the NMG believes the cost may exceed the Agreed Limit;

(iii) having regard to the advice of the CCEPP and, pursuant to clause 9.1.1(b), the determination of the relevant and reasonable investigation and diagnostic costs of the Incident Definition Phase;

(iv) the setting of an Upper Limit on Expenditure from time to time (which must be at a level less than the Agreed Limit) below which limit Response Plan expenditure may be committed by the Lead Agency(s) without reference to the NMG;

(v) the determination of whether a Party or other person has acted appropriately in the matter of reporting of an EPP;

(vi) a determination that an EPP has been eradicated (acting on advice from the CCEPP);

(vii) a determination (on advice from the CCEPP) that eradication of an EPP by means of a Response Plan is not feasible;

(viii) the consideration of efficiency audit reports and the Financial Audit report; and

(ix) a determination (on advice from the CCEPP) that an emergency response should enter a Transition to Management Phase and approval of amendments to the Response Plan to incorporate the Transition to Management Phase;

(f) refer relevant issues arising out of a Response Plan to the signatories of this Deed for consideration;

(g) report, as necessary, to the Ministers of Government Parties that are signatories to this Deed in regard to an Incident; and

(h) if the NMG rejects the advice of the CCEPP on matters under sub-paragraphs 1.2.1(e)(i) to 1.2.1(e)(ix) of this Part, report its reasons in writing to the Ministers of Government Parties that are signatories to this Deed.

1.2.2 In taking decisions under this Deed:

(a) the NMG is not bound by decisions made by a previous meeting of the NMG;

(b) the NMG will not, in taking a decision, set a binding precedent for any future meeting of the NMG;

(c) where this Deed provides that the NMG is to 'act on advice from the CCEPP', the NMG must obtain advice from the CCEPP in respect of the relevant matter, but is not bound by that advice (although if it departs from that advice it must advise the responsible Ministers); and

(d) the NMG is authorised, and required, to make the decisions it considers to be most appropriate in the relevant circumstances, provided such decisions are made in accordance with the requirements of this Deed.

**1.3 Meetings in respect of Response Plans**

1.3.1 The NMG will meet as necessary to consider policy and financial issues associated with the implementation of a Response Plan and to ensure its effective management. The NMG may meet face to face, by teleconference or by video link.

1.3.2 Members may be represented at Meetings by a delegate identified by the member to the Chair at the commencement, or during the course, of the Response Plan.

1.3.3 Decisions must be made by Consensus with the exception of Cost Sharing decisions which must be Unanimous.

1.3.4 Only duly authorised Representatives of those Affected Parties that will, or may, be required to contribute to Cost Sharing in relation to a Response Plan have a right to vote in respect of that Response Plan.

1.3.5 Members may be accompanied by advisers who have specific expertise but these persons will not be a party to decisions.

1.3.6 Members of the NMG or their delegates need to be available at short notice (less than 24 hours).

1.3.7 The CCEPP will communicate with the NMG via the Chair of the CCEPP.

1.3.8 The Commonwealth will provide:

(a) secretariat services for the NMG; and

(b) reports of Meetings of the NMG to each of the Affected Parties.

1.3.9 If the NMG does not:

(a) meet to consider a proposed Response Plan within 30 days of its receipt from the CCEPP; or

(b) approve or reject the proposed Response Plan within 30 days of its receipt from the CCEPP,

the proposed Response Plan will be deemed to be rejected.

1.3.10 If a proposed Response Plan has been deemed to have been rejected under paragraph 1.3.9, the CCEPP may resubmit the proposed Response Plan, or an amended proposed Response Plan, to the NMG at a later date.

### 1.4 Meetings in respect of an Incident

1.4.1 The NMG may meet to consider other matters in respect of an Incident, including considering ORCs in the absence of a Response Plan. In such a case, the provisions in Part 1.3 will apply to the extent they are relevant.

## 2 The Consultative Committee on Emergency Plant Pests (CCEPP)

### 2.1 The CCEPP's role in respect of an Incident

2.1.1 To effectively and efficiently co-ordinate the national technical response to an Incident, and to advise the NMG on matters related to an Incident in accordance with this Deed.

### 2.2 Terms of reference

2.2.1 The CCEPP is the key technical coordinating body providing the link between the Commonwealth, States/Territories, Industry, Plant Health Australia and the NMG in the management of Incidents and emergency responses to them.

2.2.2 Under this Deed, the CCEPP has specific responsibilities that include to:

(a) receive formal notifications from Government Parties on Incidents;

(b) determine if the Incident concerns an EPP;

(c) advise the NMG if a Response Plan is required;

(d) make recommendations to the NMG in respect of the detail of a Response Plan;

(e) consider regular reports on progress of a Response Plan and develop a Consensus [1] on further actions required;

(f) having regard to any baselines of 'normal commitments' agreed pursuant to clause 14.1.2, advise the NMG, as required by clause 9.1.1(b), as to the investigation and diagnostic costs that are relevant and reasonable in the circumstances of the Incident Definition Phase of the Response Plan;

(g) provide regular consolidated reports to the Affected Parties, and to the NMG, on the status of a Response Plan;

(h) in circumstances in which the CCEPP determines that eradication of an EPP is no longer feasible, provide advice and recommendations to the NMG on:

(i) whether a Transition to Management Phase is appropriate and, if so, the scope of the Transition to Management Phase and the proposed amendments to the Response Plan for inclusion of the Transition to Management Phase; or

(ii) whether the NMG should determine that an emergency response should cease and, if so, on options for alternative arrangements outside this Deed;

(i) determine and advise the NMG when an EPP has been eradicated under a Response Plan; and

(j) recommend when proof of freedom has been achieved following the successful implementation of a Response Plan.

## 3 Membership of the CCEPP in respect of an Incident

### 3.1 Chairperson

3.1.1 The Australian Chief Plant Protection Officer (or their nominee) convenes and chairs Meetings of the CCEPP. The chairperson does not have the right to vote.

### 3.2 Standing representatives of Government Parties and Plant Health Australia

3.2.1 All State and Territory CPHMs (or their nominees).

[1] A Consensus decision can be made to present one or more views or courses of action to the NMG.

3.2.2 Two Representatives with expertise in biosecurity policy and biosecurity operations from the Department (non-voting).

3.2.3 A Representative of Plant Health Australia (non-voting).

3.2.4 A Representative from the Commonwealth nominated by the ACPPO (being a different person to the chairperson of the CCEPP).

**3.3 Members representing Affected Industry Parties**

3.3.1 A Representative from each Affected Industry Party, nominated in accordance with clause 11.4.2. Each Affected Industry Party Representative will have the right to vote.

**3.4 Observers/resource persons**

3.4.1 Members may be accompanied by advisers who have specific expertise but these persons do not have the right to vote on decisions. A person with relevant health, environment and amenity flora expertise may also be invited to attend CCEPP meetings if appropriate to the emergency. However, the number of observers/resource persons must be kept to the essential minimum. All attendees must be announced and recorded as 'present' in the minutes. Members are responsible for ensuring that the observers that they invite abide by the requirements of the CCEPP's Operating Guidelines.

**3.5 Meetings**

3.5.1 Decisions must be taken by Consensus.

3.5.2 The Commonwealth will provide:

(a) secretariat services for the CCEPP; and

(b) reports of Meetings of the CCEPP to each of the Affected Parties.

3.5.3 The CCEPP may meet face to face, by teleconference, by video link or by email.

**4 Categorisation Group**

**4.1 Procedure**

4.1.1 The Categorisation Group must meet by teleconference, videoconference or face-to-face and to report its findings to Plant Health Australia within 30 days of being convened by Plant Health Australia.

4.1.2 Decisions of the Categorisation Group will be made by Consensus.

4.1.3 In the event that Consensus cannot be reached, the matter will be referred to the Board of Plant Health Australia.

4.1.4 Costs associated with Categorisation Group operations will be met by Plant Health Australia out of its EPP Program budget.

### 4.2 Terms of Reference

4.2.1 Taking into account relevant scientific and other knowledge and experience, the Categorisation Group must consider requests for categorisation, review of a category or removal from Schedule 13.

4.2.2 Taking into account relevant scientific and other knowledge and experience, the Categorisation Group must determine, and (when requested to do so) review, the Funding Weights for an EPP.

### 4.3 Membership

4.3.1 As a minimum, the Categorisation Group will comprise:

(a) an independent chair from Plant Health Australia;

(b) one standing member representing Industry Parties, nominated by the Board of Plant Health Australia;

(c) three technical experts (people with specific expertise in the relevant areas of plant pathology or entomology), one nominated by the Commonwealth, one nominated by the States and Territories, and one nominated by the Industry Party(s);

(d) a person with relevant economic expertise, including in social, trade and regional and national impact assessment, nominated by the Chairperson of Plant Health Australia; and

(e) a nominee from each Industry Party Affected by the EPP being categorised.

4.3.2 When appropriate, a Categorisation Group may seek advice from:

(a) a person with public health expertise, if a public health risk may exist;

(b) a person with amenity flora expertise, if an amenity flora risk may exist;

(c) a conservation representative; and/or

(d) other relevant members, as determined by the independent chair.

### 4.4 Observers/resource persons

4.4.1 Advisers who have specific expertise may accompany members, but these persons will not participate in decision making. Health and Environment Department staff may also be invited if appropriate to the emergency. However, the number of observers/resource persons must be kept to the essential minimum. All attendees must be announced and recorded as 'present' in the minutes. Members are responsible for ensuring that the observers that they invite abide by the requirements of the Categorisation Group's Operating Guidelines.

### 4.5 Decisions by the Categorisation Group

4.5.1 Decisions of the Categorisation Group must be made by Consensus agreement at a Meeting held in accordance with paragraph 4.1.1 of this Schedule 8 at which a quorum is present. A quorum of the Categorisation Group is present if each of the persons listed in paragraphs 4.3.1(a), 4.3.1(b), 4.3.1(c) and 4.3.1(d) of this Schedule 8 are present, together with:

(a) if there are six or less Affected Industry Parties, the nominees of all of those Parties; and

(b) if there are seven or more Affected Industry Parties, the nominees of at least half of those Parties.

# Schedule 9 **Confidentiality Deed Poll**

**(Clause 11.4.2(e))**

## Background

A. The proper administration of the EPPRD leads to the creation or provision of, and the need to share, Confidential Information.

B. In particular, there is the potential for Confidential Information to be shared under the EPPRD with:

(c) members of the National Management Group (NMG), Consultative Committee on Emergency Plant Pests (CCEPP) or Categorisation Group;

(d) Representatives of the Parties;

(e) advisers to and observers on behalf of Parties who are involved in meetings of the NMG, CCEPP or Categorisation Group;

(f) other persons involved in EPPRD activities including personnel, members or office bearers of Industry Parties or members of their biosecurity or other committees;

(g) persons involved in other EPPRD activities such as biannual meetings of the Parties and annual Debriefing Forums; and

(h) contractors engaged by Parties in roles that have a need-to-know the Confidential Information.

C. The Confidential Information may include:

(a) information relating to industry members or others affected by an Incident, or their properties or businesses;

(b) information relating to response activities or plans;

(c) commercial in confidence information relating to a Party, a member of an Industry Party or a third party;

(d) sensitive information relating to government policies, financial interests or activities;

(e) information which attracts to legal professional privilege;

(f) internal working documents relating to Incidents, Response Plans and Categorisation of EPPs;

(g) information relating to national security or international relations; and

(h) personal information.

D. It is therefore intended that individuals participating in activities under the EPPRD in which they may receive or have access to Confidential Information sign a Confidentiality Deed Poll before they receive or have access to the Confidential Information. The Deed Poll is intended to be enforceable against the signatory by any Party to the EPPRD, or

other person, that has disclosed, or has an interest in, Confidential Information, even though no other party has executed the document.

E. The confidentiality undertakings made under this Deed Poll are in addition to the confidentiality undertakings made by the Parties under the EPPRD.

**Undertakings and representations**

I, (name) _____ ,

of (address) _____ ,

undertake and represent as follows:

1 In this Deed Poll, unless the contrary intention appears, words and phrases have the same meaning as given in the EPPRD.

2 I am participating in consultations and activities conducted under the EPPRD in one or more of the roles and one or more of the types of activities referred to in Background paragraph B (**Activities**).

3 In the context of my performing my role, or undertaking the Activities, I will receive or have access to Confidential Information.

4 I understand that **Confidential Information**:

(a) includes information that:

(i) is of one of the types referred to in Background paragraph C; or

(ii) a Party indicates to be confidential; or

(iii) I should otherwise reasonably be aware is confidential,

(b) but does not include information that:

(i) is already in the public domain or, after the date of this Deed Poll, becomes part of the public domain otherwise than as a result of unauthorised disclosure by a party or its Representatives; or

(ii) is or becomes available to me from a third art lawfully in possession of this information and who has the lawful power to disclose such information to me on a non-confidential basis; or

(iii) was in my possession without restriction as to its use or was developed by me (as shown by my written record or other

competent evidence) prior to the date of disclosure to me under this Deed Poll.

5 I hereby undertake to each Party, and to any other person who has provided the Confidential Information:

(a) subject to paragraph 5(f), to comply with any requirements notified to me by the NMG, CCEPP, Categorisation Group, PHA or another Party regarding the use, protection and disclosure of Confidential Information;

(b) not to use or disclose Confidential Information for purposes other than those for which it is provided to me;

(c) to only make Confidential Information available to those persons, including my employees, colleagues or third parties who have a "need to know" for the proper administration of the EPPRD or associated activities;

(d) to ensure that Confidential Information is stored with or protected by appropriate security, having regard to the nature of the Confidential Information and the medium in which it is found;

(e) to ensure that Confidential Information is used only in accordance with any conditions or limitations advised to me by the disclosing Party or Parties, by PHA, or any other person; and

(f) to ensure that Confidential Information is not, except as required by law, disclosed to any other party or made public without the prior approval in writing of the disclosing Party or Parties as the case may be.

6 Disclosure of Confidential Information by me that is required by law will not be in breach of this Deed Poll, but I will use reasonable endeavours to:

(a) limit that disclosure to the extent reasonably possible;

(b) advise the recipient that the information that I am required to disclose is confidential; and

(c) advise PHA and/or the person who has provided that information in advance of the disclosure; and

(d) assist PHA and/or the person who has provided that information if they seek to resist the obligation to disclose the information.

**Executed as a DEED POLL**

**Signed, sealed and delivered by:**

Name: _____

Signature: _____

**in the presence of:**

Witness name: _____

Witness signature: _____

Date: _____

**Signee contact details**

Name (printed): _____

Email address: _____

Contact phone number: _____

**EPPRD Party Affiliation**

Which EPPRD Party are you employed by or affiliated with?

_____

# Schedule 10 Accounting and reporting

**(Clause 12.2)**

**1 Statement of Expenditure**

A guide to the structure and content of the report to be submitted to each relevant Meeting of the CCEPP follows. The sub-headings may be regarded as a checklist to aid in the development of the report and the report may not necessarily need to refer to all matters referred to in the sub-headings. The amount of detail will depend on the nature and extent of the Response Plan, and the stage of the Response Plan.

**1.1 Response Plan**

1.1.1 Approved Upper Limit on Expenditure: $_____

**1.2 Staffing**

| | |
|---|---|
| **Agency**<br>*Salary and wages of staff employed*<br>Eligible staff directly employed with the Response Plan (x persons @ $/day @ y days)<br>- salary and wages<br>- on-costs (eg payroll tax, superannuation, insurance) | $ |
| **Private [plant health, health, environment and amenity flora experts]**<br>Private plant health, health, environment and amenity flora experts engaged under contract to assist directly with the Response Plan: fees and allowances at rates approved by the CCEPP or other relevant fee structure | $ |
| **Volunteers** | $ |

| **Allowances** | $ |
|---|---|
| Meal allowances for all persons assisting directly with the Response Plan, where meals not provided.<br>- x persons @ $/day @ y days<br>penalty and overtime payments for eligible staff<br>- x persons @ $/day @ y days | |

1.3 Operating expenses

| Accommodation | $ |
|---|---|
| - x persons @ $/day @ y days<br>Meals<br>- x persons @ $/day @ y days<br>Travel expenses<br>(a) group<br>- bus hire x buses @ $/day (rate depends on size)<br>(b) individuals<br>x motor vehicles @ y cents/km (rate depends on size)<br>x airfares @ $y (return economy)<br>Contractor services<br>- earthmoving x days @ $/day @ y days<br>- security x days @ $/day @ y days<br>- transport and courier x days @ $/day @ y days<br>- other (specify)<br>Plant and equipment<br>Chemicals/pesticides for destruction/decontamination<br>Consumables<br>Communications (installation, hire charges etc) | |

| | |
|---|---|
| Laboratory<br>- State labs ($/test @ x tests)<br>- Private labs ($/test @ x tests) | |

Capital Items

| | |
|---|---|
| Depending on the scale of the Incident, purchase of capital equipment would be ineligible. Most items may be able to be hired or leased. | $ |

Owner Reimbursement Costs – for development purposes only

| | |
|---|---|
| See Part 4.4 of Schedule 6. | $ |

**2 Monitoring of expenditure**

2.1 The NMG will set an Upper Limit on Expenditure by reference to the indicative budget that forms part of the approved Response Plan and to the willingness of the Affected Parties to commit to that limit having regard to the Cost Sharing principles.

2.2 The Upper Limit on Expenditure may be less than but no more than the Agreed Limit determined under clause 9.5.1.

2.3 The Lead Agency(s) and the CCEPP may commit expenditure without reference to the NMG whilst the budgeted and actual expenditure reported to the NMG from time to time under clause 12.2.2 is less than the Upper Limit on Expenditure and within the conditions set by the approved Response Plan.

2.4 The Upper Limit on Expenditure should be regularly reviewed by the NMG and communicated to participants in the Response Plan.

2.5 Expenditure by the Lead Agency(s) in excess of the set Upper Limit on Expenditure may not be approved by the NMG for Cost Sharing.

# Schedule 11 **Auditing**

## (Clause 12)

### 1 Efficiency auditing

The efficiency audit should form a systematic and independent examination to determine whether eradication activities and any related activities comply with the approved Response Plan, and whether the Response Plan is being implemented effectively and is suitable to achieve its objectives.

The Efficiency Advocate must have regard to the following matters:

(a) whether the response activities detailed in the Response Plan are being implemented as described;

(b) whether the response activities of the Lead Agency are conducted in an effective and efficient manner;

(c) whether the expenditures made by the Lead Agency or other Affected Parties under the Response Plan, and for which the Lead Agency or other Affected Parties seek to make subject to Cost Sharing, are valid, accurate and determined in accordance with Part 4 of Schedule 6 of the Deed; and

(d) to recommend corrective action to modify the Response Plan when necessary.

### 2 Financial auditing

Financial auditing of a Response Plan is required when the total Cost Shared amount is equal to or exceeds $500,000 [2].

The financial auditor must have regard to the following matters:

(a) attestation of financial data incorporated in prescribed financial statements prepared by the Lead Agency (and by other Parties seeking payment of Shared

[2] The amount of $500,000 will be adjusted as at 1 July each year after 30 June 2011 using the change in the CPI over the four quarters that have been most recently published by the Australian Bureau of Statistics (ABS) at that date. "**CPI**" in this provision means the weighted average of the All Groups Price Index Numbers for the eight capital cities of the States and Territories of Australia published from time to time by the ABS or, if that index number is no longer published, its substitute as a cumulative indicator of the inflation rate in Australia. [*Note: For example, at 30 June 2021, the figure of $500,000 in this provision would be increased by the increase in the CPI over the period from 1 April 2011 to 30 March 2021.]*

Costs), including the expression of an opinion as to whether the financial statements fairly present the financial position and the results of financial operations in terms of the Deed, accounting standards and other administrative guidelines;

(b) examination of financial systems and transactions including an evaluation of compliance with the Deed;

(c) reporting of observations or suggestions about any matters arising from audits that the auditor considers should be brought to the attention of the Parties;

(d) if they become apparent in the course of the audit, the identification of any potential claims or litigation matters which may involve any Parties, whether jointly or individually, and the extent of any exposure to such claims or litigation; and

(e) any other activities and issues that the Affected Parties may require.

For the purpose of conducting any audit within the auditor's mandate, the auditor is entitled at all reasonable times to full and free access to all documents, records and property relevant to the audit and necessary co-operation from auditee personnel to aid in accomplishing the audit task.

A final audit report must be provided to all Affected Parties within 60 days of the Response Plan Completion Date (or such other date as agreed by the Affected Parties).

The audits must be conducted in accordance with Australian Auditing Standards.

# Schedule 12 Deed of Accession

**(Clauses 3.2 and 3.4)**

## Part 1 Deed of Accession for a New Party to the EPPRD

**THIS DEED IS MADE ON 20[xx]**

**PARTIES**

**PLANT HEALTH AUSTRALIA LIMITED (ABN 97 092 607 997)** of Level 1, 1 Phipps Close, Deakin on behalf of Parties to the Emergency Plant Pest Response Deed.

(**Plant Health Australia**)

**AND**

**[NEW PARTY]**

**[(Name)]**

**BACKGROUND**

A. [New Party], a body nationally representative of the [name of Crop, Crops or sub-group of Crops], has applied to become a Party to the Emergency Plant Pest Response Deed (**EPPRD**) in accordance with clause 3.1.1 of the EPPRD.

B. The Parties to the EPPRD have agreed that [New Party] should become a Party to the EPPRD in accordance with clause 3.2 of the EPPRD.

**AGREEMENT**

**1 Accession**

1.1 [New Party] agrees from the date of execution of this Deed by both Parties to this Deed ('Effective Date') to be become a Party to and to be bound by and accept the obligations and liabilities arising under the EPPRD from the Effective Date.

**2 Counterparts**

2.1 This Deed may be executed in a number of counterparts and if so executed, the counterparts taken together constitute one Deed.

**3 Further assurance**

3.1 Each Party must, at its own expense, promptly execute all documents and do all things that another Party from time to time reasonably requests to give effect to the terms and conditions of this Deed and the transactions incidental to it.

**4 Agency**

4.1 No Party to this Deed has, except as otherwise specified in this Deed, any right to act on behalf of, represent itself as agent for, or otherwise bind, the other Party.

**5 Entire Agreement**

5.1 This Deed, read in conjunction with the EPPRD, constitutes the entire agreement between the Parties in relation to the subject matter of this Deed. Any prior arrangements, agreements, representations or undertakings are superseded and each Party acknowledges that it has not relied on any arrangement, agreement, representation or understanding which is not expressly set out in this Deed.

**6 Governing law and jurisdiction**

6.1 This Deed is governed by and must be construed in accordance with the laws of the Australian Capital Territory.

**EXECUTED** as a DEED on [insert date]

| | |
|---|---|
| **Signed sealed and delivered** by **PLANT HEALTH AUSTRALIA LIMITED (ABN 97 092 607 997)** in the presence of: | )<br>)<br>)<br>) |
| _____ | _____ |
| Director | (*name printed*) |
| _____ | _____ |
| Director/Secretary | (*name printed*) |

**Signed sealed and delivered** by **[NEW PARTY]** in the presence of: )

)

)

)

Witness: _____

_____

(*witness name printed*)

## Part 2 Deed of Accession for a Replacement Party to the EPPRD

**THIS DEED IS MADE ON 20[xx]**

**PARTIES**

**PLANT HEALTH AUSTRALIA LIMITED (ABN 97 092 607 997)** of Level 1, 1 Phipps Close, Deakin on behalf of Parties to the Emergency Plant Pest Response Deed.

(**Plant Health Australia**)

**AND**

**[REPLACEMENT BODY]**

**[(Name)]**

**BACKGROUND**

A. The Party representing the [name of Crop, Crops or sub-group of Crops] (**Existing Party**) as a Party to the Emergency Plant Pest Response Deed (**EPPRD**) a copy of which is annexed to this Deed has advised that it has ceased or will shortly cease to be representative of its Crop, Crops or sub-group of Crops.

B. [Replacement body], a body nationally representative of that cropping sector, has applied to become a Party to the EPPRD.

C. The Parties to the EPPRD have agreed that [Replacement Body] should become a Party to the EPPRD in accordance with clause 3.4 of the EPPRD.

**AGREEMENT**

**1 Accession**

1.1 [Replacement body] agrees from the date of execution of this Deed by both Parties to this Deed ('Effective Date') to be become a Party to and to be bound by and accept the obligations and liabilities arising under the EPPRD from the Effective Date.

**2 Existing Party ceases**

2.1 The Parties acknowledge that pursuant to clause 3.3.1 of the EPPRD [Existing Party] ceases to be a Party to the EPPRD from the Effective Date.

**3 Existing Party liability and obligations**

3.1 The Parties also acknowledge that pursuant to clause 3.3(a) of the EPPRD the Existing Party will remain liable for any liabilities accrued to other Parties to the EPPRD prior to the Effective Date except to the extent that [Replacement Body] has agreed in this Deed to meet those obligations.

3.2 Replacement Body has agreed in this Deed to meet the following obligations:

3.2.1 [ ]

**4 Counterparts**

4.1 This Deed may be executed in a number of counterparts and if so executed, the counterparts taken together constitute one Deed.

**5 Further assurance**

5.1 Each Party must, at its own expense, promptly execute all documents and do all things that another Party from time to time reasonably requests to give effect to the terms and conditions of this Deed and the transactions incidental to it.

**6 Agency**

6.1 No Party to this Deed has, except as otherwise specified in this Deed, any right to act on behalf of, represent itself as agent for, or otherwise bind, the other Party.

**7 Entire Agreement**

7.1 This Deed, read in conjunction with the EPPRD, constitutes the entire agreement between the Parties in relation to the subject matter of this Deed. Any prior arrangements, agreements, representations or undertakings are superseded and each Party acknowledges that it has not relied on any arrangement, agreement, representation or understanding which is not expressly set out in this Deed.

**8 Governing law and jurisdiction**

8.1 This Deed is governed by and must be construed in accordance with the laws of the Australian Capital Territory.

**EXECUTED** as a DEED on [insert date]

| | |
|---|---|
| **Signed sealed and delivered** by **PLANT HEALTH AUSTRALIA LIMITED (ABN 97 092 607 997)** in the presence of: | )<br>)<br>)<br>) |
| _____ | _____ |
| Director | (*name printed*) |
| _____ | _____ |
| Director/Secretary | (*name printed*) |
| **Signed sealed and delivered** by **[REPLACEMENT BODY]** in the presence of: | )<br>)<br>)<br>) |
| | _____ |
| Witness: _____ | |
| _____ | |
| (*witness name printed*) | |

# Schedule 13 **Emergency Plant Pests**

**(Clause 7)**

Plant Pests and Vectors that have been determined to be EPPs are set out below. When a listed EPP has not yet been categorised:

(a) this is indicated in the table below with the word 'uncategorised'; and

(b) the Parties agree that the relevant category for Cost Sharing purposes will be determined in accordance with clause 9.3 of this Deed.

| **Scientific name** | **Common Name** | **Category** | **Date** |
|---|---|---|---|
| *Acleris comariana* | Strawberry tortrix | 4 | 22-Mar-04 |
| *Acrobasis pyrivorella* syn. *Numonia pirivorella* | Pear fruit moth | 3 | 22-Mar-04 |
| *Adoxophyes orana* | Summer fruit tortrix | 2 | 22-Mar-04 |
| *Aleurolobus barodensis* | Sugarcane whitefly | 3 | 22-Mar-04 |
| *Amyelois transitella* | Navel orangeworm | 3 | 22-Mar-04 |
| *Anisogramma anomala* | Hazelnut blight | 3 | 22-Mar-04 |
| *Anthonomus signatus* syn. *Anthonomus bisignatus* | Strawberry bud weevil | 3 | 22-Mar-04 |
| *Anthonomus grandis* | Boll weevil | 3 | 22-Mar-04 |
| *Apiosporina morbosa* | Black knot | 3 | 22-Mar-04 |
| *Austropuccinia psidii* syn. *Uredo rangelii* | Myrtle rust | 1 | 13-Aug-10 |
| *Bactericera cockerelli* | Tomato/potato psyllid | 3 | 29-Sep-10 |
| *Bactrocera dorsalis* syn. *Bactrocera papaya, Bactrocera philippinensis* | Oriental fruit fly | 2 | 22-Mar-04 |
| *Banana Bract Mosaic Virus* | Banana Bract Mosaic Disease | 3 | 22-Mar-04 |
| *Begomovirus Cotton leaf curl virus* | Cotton leaf curl disease | 3 | 22-Mar-04 |
| *Blood Disease Bacterium* | Blood Disease | 2 | 22-Mar-04 |
| *Bursaphelenchus xylophilus* | Pine wilt nematode | uncategorised | |
| *Candidatus* Liberibacter asiaticus | Huanglongbing/Citrus Greening | 2 | 22-Mar-04 |

| | | | |
|---|---|---|---|
| *Candidatus Liberibacter solanacearum* syn. *Candidatus Liberibacter psyllaurous* | | 2 | 29-Sep-10 |
| *Ceratocystis ulmi* | Dutch elm disease | 1 | 22-Mar-04 |
| *Cherry leaf roll virus (*genus *Nepovirus)* | | 3 | 22-Mar-04 |
| *Ciborinia camelliae* | Camellia petal blight | 3 | 22-Mar-04 |
| *Clavibacter michiganensis* subsp. *sepedonicus* | Ring rot | 3 | 22-Mar-04 |
| *Conotrachelus nenuphar* | Plum weevil | 2 | 22-Mar-04 |
| *Cryphonectria parasitica* | Chestnut blight | 2 | 22-Mar-04 |
| *Daktulosphaira vitifolii* | Grape Phylloxera Type B | 3 | 22-Mar-04 |
| *Deanolis sublimbalis* syn. *Deanolis albizonalis, Noorda albizonalis* | Red banded mango caterpillar | 3 | 22-Mar-04 |
| *Diaphorina citri* | Asian citrus psyllid | 3 | 22-Mar-04 |
| *Erionota thrax* | banana skipper butterfly | 4 | 22-Mar-04 |
| *Erwinia amylovora* | Fire blight | 2 | 22-Mar-04 |
| *Eumetropina flavipes* | Island sugarcane planthopper | uncategorised | |
| *Euwallacea fornicatus* in association with its symbiotic *Fusarium* species | Polyphagous shot hole borer and Fusarium dieback | 1 | 18-Oct-22 |
| *Fusarium oxysporum* f.sp. *cubense* | Panama disease Tropical race 4 | 2 | 22-Mar-04 |
| *Globodera rostochiensis* | Potato cyst nematode | 3 | 22-Mar-04 |
| *Halyomorpha halys* | Brown marmorated stink bug | 2 | 26-Feb-20 |
| *High plains virus* | High plains virus | 4 | 22-Mar-04 |
| *Homalodisca vitripennis* | Glassy-winged sharpshooter | uncategorised | |
| *Leptinotarsa decemlineata* | Colorado potato beetle | 3 | 22-Mar-04 |
| *Liriomyza sativae* | Vegetable leafminer | 3 | 03-Feb-09 |
| *Lissorhoptrus oryzophilus* | Rice water weevil | 3 | 22-Mar-04 |
| *Lygus hesperus* | Western plant bug, Western tarnished plant bug | 4 | 13-Aug-10 |
| *Marchalina hellenica* | Giant pine scale | 3 | 02-Jun-15 |
| *Mayetiola destructor* | Hessian fly | 3 | 22-Mar-04 |
| *MLO* | European stone fruit yellows | 3 | 22-Mar-04 |

| | | | |
|---|---|---|---|
| *MLO* | Peach X disease | 3 | 22-Mar-04 |
| *Monilinia fructigena* | Brown rot | 3 | 22-Mar-04 |
| *Monochamus alternatus* | Pine sawyer beetle | uncategorised | |
| *Mycosphaerella fijiensis* | Black Sigatoka | 2 | 22-Mar-04 |
| *Mythimna unipuncta* | Armyworm | 4 | 22-Mar-04 |
| *Neonectria ditissima* | European canker | 3 | 02-Jun-15 |
| *Otiorhynchus rugosostriatus* | Rough strawberry weevil | 3 | 22-Mar-04 |
| *Peridroma saucia* | Variegated cutworm | 4 | 22-Mar-04 |
| *Peronosclerospora sacchari* | Sugarcane downy mildew | 3 | 22-Mar-04 |
| *Phakopsora euvitis* | Grapevine leaf rust | 3 | 22-Mar-04 |
| *Plenodomus tracheiphilus* syn. *Phoma tracheiphila* | Mal Secco | 3 | 22-Mar-04 |
| *Plum pox virus (genus Potyvirus)* | Plum pox virus/sharka | 2 | 22-Mar-04 |
| *Phymatotrichopsis omnivore* syn. *Phymatotrichum omnivorum* | Texas root rot | 2 | 22-Mar-04 |
| *Phytophthora ramorum* | Sudden oak death | 1 | 22-Mar-04 |
| *Phytopthora fragariae* var. *fragariae* | Phytophthora | 3 | 22-Mar-04 |
| *Phyllosticta ampelicida* syn. *Guignardia bidwellii* | Black rot | 3 | 22-Mar-04 |
| *Phyllosticta cavendishii* | Freckle | 3 | 22-Mar-04 |
| *Pomacea canaliculata* | golden apple snail | 2 | 22-Mar-04 |
| *Puccinia asparagi* | Asparagus rust | 4 | 22-Mar-04 |
| *Pyricularia grisea* syn. *Magnaporthe grisea* | Rice blast | 2 | 22-Mar-04 |
| *Ralstonia solanacearum race 2* | Moko | 2 | 22-Mar-04 |
| *Unknown* | Ramu Stunt | 2 | 22-Mar-04 |
| *Roesleria subterranea* | Grape root rot | 3 | 22-Mar-04 |
| *Scirtothrips aurantii* | South African citrus thrips | 3 | 22-Mar-04 |
| *Sesamia grisescens* | stem borer | 2 | 22-Mar-04 |
| *Stagonospora sacchari* | Leaf scorch | 3 | 22-Mar-04 |
| *Sternochetus frigidus* | Mango pulp weevil | 3 | 22-Mar-04 |

| | | | |
|---|---|---|---|
| *Sugarcane streak mosaic virus* | Streak mosaic / sugarcane streak mosaic | 4 | 22-Mar-04 |
| *Sugarcane White Leaf Phytoplasma* | White leaf | 3 | 22-Mar-04 |
| *Tetranychus piercei* | Spider mite | 4 | 22-Mar-04 |
| *Tilletia barclayana* | Kernel smut of rice | 3 | 22-Mar-04 |
| *Tilletia indica* | Karnal bunt | 2 | 22-Mar-04 |
| *Thaumatotibia leucotreta* syn. *Cryptophlebia leucotreta* | False codling moth | 2 | 22-Mar-04 |
| *Tribolium castaneum* | rust red flour beetle (resistant) | 3 | 22-Mar-04 |
| *Trogoderma granarium* | Khapra beetle | 2 | 22-Mar-04 |
| *Varroa destructor* | Varroa mite | 2 | 18-Jan-23 |
| *Verticillium dahliae* | Verticillium wilt (defoliating strain) | 3 | 22-Mar-04 |
| *Wheat spindle streak mosaic virus* | Wheat spindle streak mosaic virus | 4 | 22-Mar-04 |
| *Xanthomonas citri* pv. *citri* syn. *Xanthomonas axonopodis* pv. *citri* | Citrus Canker | 2 | 22-Mar-04 |
| *Xanthomonas axonopodis* pv. *malvacearum* | Bacterial blight Bacterial blight, angular leaf spot | 3 | 22-Mar-04 |
| *Xanthomonas fragariae* | Angular leaf spot | 3 | 22-Mar-04 |
| *Xylella fastidiosa* | | 2 | 22-Mar-04 |

# Schedule 14 **Agreed Limits**

**(Clause 9.5.2(d))**

The following are the Agreed Limits when there is only one Industry Party which is an Affected Party, as notified by Industry Parties as at the Operative Date and as approved by the Parties:

| Industry Party | Agreed Limit |
|---|---|
| Apple and Pear Australia Ltd. | 2% of the LVP of the Affected subgroup of Crops identified in paragraph 3.3.1 of Schedule 6 in relation to the relevant Industry Party |
| Australian Banana Growers' Council Inc. | $20 million |
| Australian Honey Bee Industry Council Inc. | Zero |
| Australian Macadamia Society Ltd. | 2% of LVP |
| Avocados Australia Ltd. | 2% of the LVP |
| Citrus Australia Ltd. | 2% of the LVP |
| Grain Producers Australia Ltd. | 2% of the LVP of the Affected subgroup of Crops identified in paragraph 3.3.1 of Schedule 6 in relation to the relevant Industry Party |
| Greenlife Industry Australia Ltd. | 2% of the LVP of the affected crop |
| Queensland Fruit and Vegetable Growers Ltd. (Growcom) | 2% of LVP |
| Ricegrowers' Association of Australia Inc. | 2% of the LVP |
| Strawberries Australia Inc. | $1 million |
| Summerfruit Australia Ltd. | $5 million |

# Schedule 15 Statements by Government and Industry Parties on Biosecurity Policies and Programs

| | Party | Statement current as at |
|---|---|---|
| 15.1 | Commonwealth of Australia | 2024 (July) |
| 15.2 | The State of Queensland | 2024 (July) |
| 15.3 | The State of New South Wales | 2022 (July) |
| 15.4 | The State of Victoria | 2024 (July) |
| 15.5 | The State of South Australia | 2024 (July) |
| 15.6 | The State of Tasmania | 2023 (July) |
| 15.7 | The State of Western Australia | 2022 (August) |
| 15.8 | The Northern Territory of Australia | 2022 (July) |
| 15.9 | The Australian Capital Territory | 2021 (August) |
| 15.10 | Almond Board of Australia | 2021 (August) |
| 15.11 | Apple and Pear Australia | 2021 (July) |
| 15.12 | Australian Banana Growers' Council | 2024 (August) |
| 15.13 | Australian Cane Growers' Council | 2024 (August) |
| 15.14 | Australian Forest Products Association | 2021 (July) |
| 15.15 | Australian Ginger Industry Association | 2022 (July) |
| 15.16 | Australian Grape and Wine | 2024 (August) |
| 15.17 | Australian Honey Bee Industry Council | 2024 (August) |
| 15.18 | Australian Lychee Growers Association | 2024 (July) |
| 15.19 | *Australian Macadamia Society* | - |
| 15.20 | Australian Mango Industry Association | 2024 (August) |
| 15.21 | Australian Melon Association | 2024 (September) |
| 15.22 | Australian Olive Association | 2024 (August) |

| | Party | Statement current as at |
|---|---|---|
| 15.23 | Australian Processing Tomato Research Council | 2024 (July) |
| 15.24 | Australian Sweetpotato Growers | 2024 (July) |
| 15.25 | Australian Table Grape Association | 2022 (July) |
| 15.26 | Australian Tea Tree Industry Association | 2024 (August) |
| 15.27 | *Australian Truffle Industry Association* | - |
| 15.28 | Australian Walnut Industry Association | 2024 (August) |
| 15.29 | AUSVEG | 2023 (September) |
| 15.30 | Avocados Australia | 2024 (July) |
| 15.31 | Canned Fruit Industry Council of Australia | 2024 (August) |
| 15.32 | *Cherry Growers of Australia* | - |
| 15.33 | Chestnuts Australia | 2024 (August) |
| 15.34 | Citrus Australia | 2020 (August) |
| 15.35 | Cotton Australia | 2024 (July) |
| 15.36 | Dried Fruits Australia | 2022 (July) |
| 15.37 | Grain Producers Australia | 2020 (July) |
| 15.38 | Greenlife Industry Australia | 2024 (June) |
| 15.39 | Hazelnut Growers of Australia | 2024 (August) |
| 15.40 | Passionfruit Australia | 2023 (August) |
| 15.41 | Pistachio Growers Association | 2024 (August) |
| 15.42 | Queensland Fruit and Vegetable Growers (Growcom) | 2021 (July) |
| 15.43 | Raspberries and Blackberries Australia | 2024 (August) |
| 15.44 | Ricegrowers' Association of Australia | 2024 (August) |
| 15.45 | Strawberries Australia | 2024 (August) |
| 15.46 | Summerfruit Australia | 2024 (August) |

*NB: Italics indicates a biosecurity statement has not been developed and included in the Schedule*

**15.1**

**AUSTRALIAN GOVERNMENT STATEMENT ON BIOSECURITY FOR THE GOVERNMENT AND PLANT INDUSTRY COST-SHARING DEED IN RESPECT OF EMERGENCY PLANT PEST RESPONSES**

**July 2024**

## 1. Overview

The Australian Government works with its stakeholders to maintain and improve Australia's plant health status. Plant health is critical to the long-term viability of Australia's agricultural and forestry industries and the protection of the environment. Australia's enviable plant health status also helps Australian producers to produce plants and plant products more sustainably and competitively for domestic markets, and to access international markets.

The Commonwealth of Australia and state and territory governments are party to the Intergovernmental Agreement on Biosecurity (IGAB) which is a key element of Australia's biosecurity architecture. The IGAB defines the goals and objectives of the national biosecurity system, and clarifies the roles, responsibilities and governance arrangements that guide the Commonwealth and states and territories in supporting it. The Australian Government's plant biosecurity responsibilities are delivered through the Department of Agriculture, Fisheries and Forestry in partnership with a range of other Australian Government agencies.

Australia is one of the few countries in the world to remain free from the world's most severe pests and diseases. For this reason, successive governments have maintained a low risk approach to the management of biosecurity risks, recognising that a zero risk stance is impractical. Australia's Appropriate Level Of Protection (ALOP) approach contained in the *Biosecurity Act 2015*, is consistent with the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement) and International Plant Protection Convention (IPPC), and is evident in the range of biosecurity activities undertaken by the Australian Government, including policies for and regulations on imported commodities, border procedures and responses to incursions of pests and diseases.

Australia's national biosecurity system, which manages the risk of pests and diseases entering, emerging, establishing or spreading and causing harm, is complex and interconnected. It is made up of many functions, processes and controls, and is impacted by a number of external sources, both domestic and international. Biosecurity is a shared responsibility. As such, the government works in partnership with state and territory governments, industry, clients and the community, to undertake a range of activities to mitigate biosecurity risks and to respond to biosecurity incidents. These activities are undertaken offshore, at the border and onshore.

## 2. Australian Government agencies involved with plant biosecurity

### 2.1. Department of Agriculture, Fisheries and Forestry

The Department of Agriculture, Fisheries and Forestry administers the *Biosecurity Act 2015*, which contains the regulatory powers and requirements for managing biosecurity risks associated with goods, people and conveyances entering Australia. This includes

responsibility for activities relating to plant health and biosecurity. As part of its responsibilities, the department also provides a national leadership function and develops and implements national policies, programs and other arrangements, including working with partners, to support an effective and efficient national plant biosecurity system.

The department, along with the Department of Climate Change, Energy, the Environment and Water, is also responsible for developing national policy on pests, including invasive plants, and diseases that cause harm to the natural environment, Indigenous cultural heritage and social amenity. This includes assessing the environmental impact associated with proposals to import live animal species under the *Environmental Protection and Biodiversity Conservation Act 1999* (noting the approvals for plants, fungi and microbes are undertaken in accordance with the *Biosecurity Act 2015*, ensuring that Australia complies with its obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on Biological Diversity).

The department's priorities in managing biosecurity, as outlined in the *Commonwealth Biosecurity 2030* strategic roadmap, are to:

• Accelerate our efforts with key partners to create a strong, future orientated and efficient national biosecurity system and to better promote our leadership role.

• Expand offshore assurance arrangements and overseas supply chain integration.

• Increase partnership activities with Australia's near-neighbours.

• Invest in a skilled and responsive workforce supported by improved regulatory tools and information.

• Adopt advancements in detection technologies, risk assessment and business practices.

• Generate a stronger shared responsibility and commitment to biosecurity by enhancing awareness and understanding.

• Lift our national preparedness, resilience and response to exotic pest and disease incursions and strengthen our national leadership role.

• Increase use of offshore intelligence, research and data to support risk-based interventions, preparedness and response.

• Align our funding and investment model to emerging system needs.

The department provides high quality scientific and technical advice to support Australia's agricultural exports and biosecurity risk mitigation. In partnership with the states and territories and industry, it is responsible for managing and coordinating national responses to changes in plant health status. The department undertakes activities that enhance plant health infrastructure and capacity and coordinates national technical and operational plant health policy consistent with international and national obligations and strategic objectives. The department develops national policy relating to biosecurity, onshore reform and response arrangements. It also contributes to the development of a risk-based approach to biosecurity operations and prepares for – and responds to – biosecurity threats and incursions.

The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) within the department undertakes economic research and provides economic and scientific advice

to support the department's aim of improving the profitability, competitiveness and sustainability of agricultural industries, while enhancing the natural resource base on which they rely. ABARES supports the plant biosecurity system by collaborating with other government agencies to ensure that decision makers receive sound scientific and economic advice.

### 2.2. Department of Foreign Affairs and Trade

The Department of Foreign Affairs and Trade (DFAT) has a role in advancing Australia's national interests in a regional and global environment. This includes providing foreign and trade policy advice to the Australian Government, government agencies and stakeholders. In relation to plant biosecurity, DFAT provides policy and strategic advice on market access and trade issues across the bilateral and multilateral trade agreements that Australia has with its international trading partners. DFAT is also responsible for international development and aid programs relating to improving regional biosecurity capacity and capability.

### 2.3. Australian Border Force

Australian Border Force manages the security and integrity of Australia's borders. It works closely with government and international agencies, to regulate and control the movement of goods and people across the Australian border. The Department of Agriculture, Fisheries and Forestry and Australian Border Force have a Memorandum of Understanding in place to underpin the strategic working relationship between the two agencies and manage common border protection and biosecurity functions.

### 2.4. Australian Department of Defence

The Australian Government manages military biosecurity through collaboration between the Department of Agriculture, Fisheries and Forestry and the Department of Defence including the Australian Defence Force (Defence). This collaboration takes into account the department's obligations and powers under the *Biosecurity Act 2015* and Defence's obligations and powers. A Memorandum of Understanding between the department and Defence sets out the roles and responsibilities of each department together with policies and procedures to manage biosecurity risks and ensure that roles and responsibilities are clear and understood.

### 2.5. Australian Pesticides and Veterinary Medicines Authority (APVMA)

APVMA is a statutory authority established in 1993 under the *Agricultural and Veterinary Chemicals (Administration) Act 1992*. It has the important role of safeguarding public health and protecting workers from negative workplace health and safety issues, protecting the environment and trading relationships from potential detrimental effects of agricultural and veterinary chemicals. Before an agricultural or veterinary chemical product can enter the Australian market, it must be assessed against APVMA's rigorous criteria to ensure that it meets high standards of safety and effectiveness. An emergency use permit for the supply or use of an unregistered or off-label product may be granted to control a pest or disease outbreak.

### 2.6. Commonwealth Scientific and Industrial Research Organisation (CSIRO)

CSIRO delivers research on a range of plant biosecurity threats with a focus on risk and pathway analysis, preparedness, invasion ecology, impacts and response. CSIRO provides specialist support in remote diagnostics and response capability. It also provides independent scientific advice to the department, and other parties, on invasive species and management options including through biological control.

### 2.7. Research and development corporations

Research and development corporations are responsible for meeting the research and development (R&D) needs of industry, including the plant and honeybee industries, and the broader community. The government partners with industry to fund and deliver R&D outputs.

### 2.8. National Emergency Management Agency (NEMA)

The Australian Government manages biosecurity incursions during and when recovering from national disasters, through collaboration between the Department of Agriculture, Fisheries and Forestry and the National Emergency Management Agency. The NEMA leads Australia's disaster and emergency management and provides leadership and coordination to programs that strengthen community resilience to the impacts of future disasters.

### 2.9. Other agencies

Other government agencies that contribute to maintaining Australia's plant biosecurity system include the Department of Health and Aged Care. Certain pest animals, weeds and plant diseases can also have health impacts. Exotic mosquitoes can spread existing and new diseases; red imported fire ants are associated with anaphylactic responses in some people, while various diseases of plants may create allergic reactions.

## 3. Import and export of goods

The Australian Government regulates the importation of plants and plant products into Australia under the *Biosecurity Act 2015, the Environment Protection and Biodiversity Conservation Act 1999, Imported Food Control Act 1992* and where relevant, the *Gene Technology Act 2000* and associated subordinate legislation. Import conditions must be met, and in many cases import permits are required, for the importation of plant and plant products. Permits may also be required under the *Environment Protection and Biodiversity Conservation Act 1999* in relation to the import of internationally endangered species and live specimens.

The provisions of the *Export Control Act 2020* and its subordinate legislation provide the legal framework for Australian producers to export their products. Exporters must meet both the requirements of this Act and any requirements of the importing country. The department provides phytosanitary inspection, audit, verification, and certification services for plant and plant products in accordance with importing country requirements and Australia's international obligations.

## 4. International plant health

The Australian Chief Plant Protection Officer (ACPPO) is the primary representative on matters relating to the management, maintenance and improvement of Australia's plant health status and the systems that support it. The ACPPO is also Australia's international contact point for the International Plant Protection Convention (IPPC) and has a formal role in responses to emergency plant pests. .

As a trading nation, Australia has entered into a number of multilateral and bilateral trade agreements that influence our biosecurity system. Australia's rights and obligations in relation to plant biosecurity are set out under the WTO SPS Agreement. The Australian Government is the enquiry point for requests from trading partners and other international

bodies to provide information on Australia's sanitary and phytosanitary measures and biosecurity status, and will work with relevant state or territory governments to prepare a response to a query (where required).

The SPS Agreement restricts the use of unjustified sanitary and phytosanitary measures but allows members to maintain a level of protection to protect human, animal and plant health, based international standards and guidelines and analysis and objective assessment of scientific data. This is known as the Appropriate Level of Protection (ALOP). Australia's ALOP was agreed by all state and territory governments and reflects community expectations. It is expressed as: *'providing a high level of sanitary and phytosanitary protection aimed at reducing risk to a very low level*, *but not zero'* and is a guiding principle of the *Biosecurity Act 2015*.

## 5. Biosecurity policies and programs

### 5.1. Offshore activities

Offshore, the Australian Government's biosecurity activities are focussed on minimising the likelihood of exotic pests and diseases reaching our border and entering Australia, while facilitating the movement of people and goods across the border. Offshore activities include:

• conducting risk assessments to consider the level of biosecurity risk that may be associated with imports and identify risk management measures

• conducting offshore inspections of goods

• administering offshore programs that certify, verify and audit companies capable of conducting biosecurity treatments for goods bound for Australia

• collaborating with international partners on plant health issues and standards

• regional capacity building to improve plant health through collaborative activities

• intelligence gathering to assist in the determination and assessment of potential biosecurity risks.

### 5.2. Activities at the border

The detection of threats at the Australian border is the responsibility of the Department of Agriculture, Fisheries and Forestry and remains a critical element of the plant biosecurity system. Biosecurity activities at the border are focussed on:

• screening and inspection of international vessels, passengers, cargo, mail, animals, plants and plant products arriving in Australia by trained biosecurity officers, detector dogs and x-rays

• ensuring compliance of importers, passengers and mail

• managing the high biosecurity risks of live plants through containment, observation and/or treatment at quarantine facilities

• identifying and evaluating the specific biosecurity risks facing northern Australia through the Northern Australia Quarantine Strategy and Torres Strait and Northern Peninsula Area Biosecurity Strategy

• raising awareness of travellers, importers and industry operators of Australia's biosecurity requirements to achieve voluntary compliance.

### 5.3. Onshore activities

The Australian Government's policy is to maintain a very low risk of plant pests entering and establishing in Australia. However, this does not guarantee that there will not be incursions. As a result, the Australian Government contributes to a range of onshore measures aimed at limiting the impact of a pest should it be detected within Australia, including:

• developing policies and programs to deliver plant biosecurity outcomes in the national interest

• coordinating national surveillance and diagnostic capability to assess and monitor Australia's plant pest status and diagnose exotic pests to support decision making

• enhancing Australia's preparedness and response to exotic pest incursions by promoting and supporting improvements in capacity and capability

• contributing to national plant biosecurity research and development capability and capacity

• working with biosecurity partners to build a shared understanding of biosecurity

• coordinating national responses to pest and disease incursions

• facilitating the management of nationally significant established plant pests.

15.2

# Statement on Plant Biosecurity Policies and Programs for the Emergency Plant Pest Response Deed

Queensland Department of Agriculture and Fisheries

Queensland Government

This publication has been compiled by Plant Biosecurity and Product Integrity Program, Department of Agriculture and Fisheries.

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*The Department of Agriculture and Fisheries proudly acknowledges all First Nations peoples (Aboriginal peoples and Torres Strait Islanders) and the Traditional Owners and Custodians of the country on which we live and work. We acknowledge their continuing connection to land, waters and culture and commit to ongoing reconciliation. We pay our respect to their Elders past, present and emerging.*

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## Scope of the Statement

This statement outlines Queensland's plant biosecurity policies and programs, delivered by the Department of Agriculture and Fisheries (DAF), which form the basis for Queensland's commitment to the Emergency Plant Pest Response Deed (the Deed). The Deed is a mechanism to facilitate rapid responses to, and the control and eradication of, Emergency Plant Pests (EPP). In general terms, EPP are pests injurious to plants, bees, and fungi, that are of economic significance that are either not present in the country or restricted in geographical distribution and under active and official control.

This statement, as required by the Deed, outlines Queensland's "…biosecurity policies and programs relevant to (its) responsibilities including feral, neglected and unmanaged plants and plant pests, and public and environmental policies."

The scope of this statement is limited to EPP and their hosts. This statement does not refer to weeds, which the Deed excludes from the definition of 'feral' plants.

A state is required to report in July of each year any material changes to the content of, or to its commitment to its Biosecurity Statement. It must also advise of any reduction in its resources available for its implementation of this commitment and identify any legislative obstacles to the operation of an industry's biosecurity measures.

## Plant Biosecurity in Queensland

Queensland's plant industries make significant contributions to the national, state, and local economies. Key plant industries include cotton, sugarcane, grains, greenlife, vegetable, and banana. For the 2024 financial year, the total value of Queensland's primary industry (agriculture, fisheries, and aquaculture, forestry, and processing) commodities was valued at $23.67 billion. This comprises of $18.49 billion gross value of production (GVP) and $5.19 billion value-added production. Queensland's location gives it production advantages over other states for tropical and sub-tropical crops and for early-season production of temperate crops.

Interstate and overseas markets are acutely sensitive to the threat of pests and may close access to Queensland produce should there be a significant pest incident, even if the incident is in another state. Ongoing market access depends on being able to demonstrate the favourable health status of Queensland's plant industries.

Robust biosecurity systems are a key determinant of the viability, productivity, and sustainability of Australia's plant industries. Many pests, irrespective of their market and human health impacts, could impact industries or production systems at state, district, or farm levels. Queensland addresses the biosecurity and market access risks to plant industries by maintaining its commitment to national and state preparedness, surveillance, and response programs.

## Strategy

The Queensland Government is committed to enabling the agriculture, fisheries, and forestry sector to be innovative, responsive, and sustainable in the face of extraordinary opportunities and challenges that will define our collective future.

The Queensland Government recognises that the future growth and development of the state's agriculture sector relies on a robust biosecurity system to protect animal, plant, human and environmental health.

Biosecurity services and activities in Queensland align with the *Queensland Biosecurity Strategy 2024-2029* (Queensland Strategy) which establishes a framework for ongoing capability and capacity development of Queensland's biosecurity system. Importantly, it addresses the increasing and evolving biosecurity risks to Queensland, as a frontline State in the national biosecurity system. It focuses on safeguarding Queensland's industries, economy, environment, biodiversity, and way of life.

The Queensland Strategy builds on the previous *2018-2023 Queensland Biosecurity Strategy*, which established the shared culture of biosecurity in Queensland. Staying true to this approach, the latest Queensland Strategy has been co-designed in partnership with stakeholders and it will be supported by an implementation process that will encourage collaboration and coordination.

The Queensland Strategy identifies key actions across six themes:

- collaborative governance and leadership
- every Queenslander plays their part
- empowered to act
- innovation and intelligence
- valuing and building on our investments, and
- response effectiveness and preparedness.

The Queensland Strategy has strong alignment to the National Biosecurity Strategy around themes and key outcomes in the Queensland context.

Queensland's climate, proximity to northern neighbours, increasing movement of people, and extensive coastline make our State more susceptible to biosecurity threats.

All levels of government, industry and the wider community play a part in protecting Queensland from plant and animal pest and diseases now and into the future.

## Legislation

Legislative powers for plant industries in Queensland are provided in the *Biosecurity Act 2014* (the Act) and the *Biosecurity Regulation 2016*. The main purposes of the Act are to:

a) provide a framework for an effective biosecurity system for Queensland that helps to minimise biosecurity risks and facilitates responding to impacts on a biosecurity consideration, including responding to biosecurity events, in a timely and effective way;
b) ensure the safety and quality of animal feed, fertilisers and other agricultural inputs; and
c) align responses to biosecurity risks in the state with national and international obligations and requirements for accessing markets for plants, plant products, bees and fungi.

It is also a purpose of the Act to manage risks associated with the following:

a) emerging, exotic, and endemic pests that impact on

i. plant and animal industries, including agriculture, aquaculture, horticulture, fisheries and forestry industries; or
ii. the built environment; or
iii. companion or leisure animals; or
iv. biodiversity and the natural environment; or
v. tourism, lifestyle and pleasure industries; or
vi. infrastructure and service industries, including power, communication, shipping and water supplies;

b) the transfer of diseases from animals to humans and from humans to animals;
c) biological, chemical and physical contaminants in carriers.

## Biosecurity Queensland Ministerial Advisory Council

The Biosecurity Queensland Ministerial Advisory Council (BQMAC) is an initiative of Biosecurity Queensland and was established in June 2010, with its membership and terms of reference refreshed in 2022. The role of the BQMAC is to provide independent strategic advice to the Minister for Agricultural Industry Development and Fisheries on Queensland's biosecurity. It includes representatives from industry, natural resource management, local government, and research institutions.

## Service Delivery

Biosecurity Queensland, a business area of DAF, is responsible for leading and contributing to the initiatives to achieve Queensland Government's biosecurity goals. Other DAF business groups also contribute significantly to biosecurity risk management. Our linkages with other Queensland, interstate, and Australian government agencies and with international collaborators, provide access to a range of relevant expertise across all plant production sectors, including native and plantation forestry.

The capacity and capability of Queensland to meet the obligations of the Emergency Plant Pest Response Deed (EPPRD) are covered in the following functions.

### Biosecurity Response Preparedness group

The Biosecurity Response Preparedness (ERP) group ensures that Biosecurity Queensland has the capability and capacity to respond to EPP and other biosecurity incidents. The BRP supports DAF's preparedness to respond to a manner of biosecurity threats by:

- Maintaining and developing a response preparedness capability across DAF for Queensland.
- Ensuring stakeholders directly involved in delivering a biosecurity response led by Biosecurity Queensland and have the skills and knowledge they need to be effective in carrying out their response function.
- Driving and demonstrating continuous improvement in Biosecurity Queensland-led responses.
- Ensuring Biosecurity Queensland has the network needed to leverage skills, knowledge, and resourcing for effective biosecurity response preparedness, at the local and state level, across jurisdictions and at a national (and potentially international) level.
- Allowing Queensland to contribute to national (and potentially international) biosecurity response preparedness activities.
- Keeping policies, procedures, and guiding materials needed for response functioning (regardless of threat) that are fit-for-purpose and up to date.
- Ensure appropriate work, health and safety practices are integrated as a priority into response operations.

## Far Northern Biosecurity Initiative

The Torres Strait is a high-risk biosecurity incursion risk area in Australia. Its proximity to near neighbours (Papua New Guinea (PNG) and Indonesia) and the existence of the Torres Strait Treaty which allows thousands of traditional visitors from PNG into the Torres Strait each year, poses a unique set of challenges.

To address these challenges, a biosecurity working group was established in 2016, including representatives from the federal and state departments responsible for agriculture, health, environment, and local agencies – Torres Strait Regional Authority, Torres Strait Island Regional Council, Torres Shire Council and Northern Peninsula Regional Council to progress biosecurity management in the Torres Strait and Northern Peninsula Area. The working group developed the *Torres Strait and Northern Peninsula Biosecurity Strategy* in 2018 (Strategy) which outlines mechanisms to achieve improved biosecurity in the region, promoting biosecurity awareness and building local biosecurity management capacity. The Strategy recognises that countries to Australia's north have a range of pests, diseases, weeds and invasive animals that are not present in Australia.

In November 2018, the Queensland government allocated $1.733 million over three years for the Far Northern Biosecurity Initiative (FBNI). The FNBI includes a range of measures to address specific biosecurity issues relevant to Cape York and the Torres Strait. The FNBI will reinforce the importance of the strategy to the region and highlight the benefit it provides in mitigating biosecurity risks to all of Australia.

## Plant Biosecurity and Product Integrity Program

The Plant Biosecurity and Product Integrity (PB&PI) Program, within Biosecurity Queensland, mitigates the risks and impacts to the economy, the environment, social amenity, and human health that are associated with plants, bees and (edible) fungi, as well as product integrity (pesticides and contaminants). The PB&PI Program is underpinned by consistent and strategic communications and engagement with relevant stakeholders.

There are seven key areas within the PB&PI Program, managed by seven sub-programs and two externally funded programs that deliver the specific plant biosecurity objectives relevant to the Deed.

### Area 1 – Risk Assessment and Scientific Advice

The Risk Assessment and Scientific Advice sub-program supports effective management of plant biosecurity threats to Queensland by providing risk assessment skills and high-level scientific advice and information for plant biosecurity activities, including prevention, planning and preparedness, surveillance, response, control and containment, ongoing management, and market access.

The Risk Assessment and Scientific Advice sub-program has three major areas of activity as described below:

#### Risk Assessment and Scientific Advice

- provides scientific advice to support plant biosecurity risk management and decision making.
- conducts pest risk analysis for plant biosecurity threats.
- coordinates and provides DAF responses to pest risk analyses (PRA) and biosecurity import risk analyses (BIRA).
- represent Queensland and participate in initiatives such as The Subcommittee on Market Access, Risk and Trade's (SMART) to facilitate the development of a national approach to

plant pest risk analyses to inform interstate trade of plants and plant products in a standardised, least trade restrictive, risk-based, scientifically justified and enforceable manner (and in consideration of international trade principles and standards).
- support the development of a framework for collaborative planning and decision making between government, industry, and other stakeholders to enable a partnership approach and shared responsibility in plant biosecurity risk management.
- develop and implement decision support tools and processes for a risk-based approach to service delivery, including formal risk assessment processes.

### Research Coordination and Partnerships

- facilitate a coordinated approach to plant biosecurity research, development, and extension (RD&E) in Queensland.
- develop strategic partnerships amongst stakeholders to ensure that Queensland's plant biosecurity priorities are addressed.
- contribute to specific plant biosecurity RD&E activities, initiatives, and strategies, and represent Queensland's plant biosecurity interests.

### Biosecurity Planning and Partnerships

- contribute to the development and review of all industry and environmental biosecurity plans relevant to Queensland, upon request by Plant Health Australia.
- participate in the Torres Strait and Northern Peninsula Area Biosecurity Working Group and Torres Strait Invasive Species Advisory Group.
- deliver the Queensland component of the National Grains Farm Biosecurity Program, by providing grain growers and industry stakeholders with practical and expert assistance and training for improved biosecurity practice.

## Area 2 – Incident Response and Preparedness

The Incident Response and Preparedness (IR&P) sub-program has four major activity areas as described below. This sub-program also provides support to the Biosecurity Response Preparedness group.

In the 2023/24 financial year the IR&P sub-program received Cabinet Budget Review Committee funding for an additional 5 FTE to increase the capacity for plant biosecurity incident response preparedness.

The IR&P sub-program plays a lead role in managing the responses to biosecurity incidents that threaten Queensland's agricultural, natural and amenity environments. The activities of the IR&P sub-program contribute to the national and state biosecurity policy frameworks that meet the Department's obligations in relation to plant biosecurity, prevention, preparedness, and response systems for exotic and emergency plant pests. The IR&P sub-program has been identified as business critical in the PB&PI Program with the Key Activities and Deliverables ranked as "Essential" - the work is critical to achieving the Queensland Government's objectives of protecting Queensland from plant pests and diseases and maintaining and facilitating trade and market access.

### Incident Response

The Incident Response activity ensures appropriate responses to plant pest incidents through involvement in the national biosecurity framework, through Plant Health Committee (PHC) and the Consultative Committee on Emergency Plant Pests (CCEPP), to manage and reduce the severity of impacts of EPP. Within Queensland, the activities involve investigating reports of suspected EPP, providing advice on the status of EPP, and responding to all suspected and confirmed EPP.

## Preparedness

The preparedness activity enhances the preparedness and response capacity of government and industry in the event of an EPP Incident in Queensland. This project facilitates the development of a planned, agreed, and consistent preparedness framework for EPP Incidents, with principles and specifications (e.g. risk identification and management systems) that can be incorporated in government, industry and individual level plans.

The project engages with plant industry and other government organisations to effectively mitigate biosecurity risks through shared responsibility and sound risk management principles. It also aims to ensure an effective response capability for plant pest Incidents to reduce the risk and impacts of biosecurity incidents and emergencies on Queensland's plant industries and environment. Biosecurity Queensland maintains a core of staff that is trained and capable in dealing with incursion responses in accordance with PLANTPLAN.

## Response Programs

### National Exotic Fruit Fly in Torres Strait Eradication Program

The Exotic Fruit Flies in Torres Strait Eradication Program protects Australian plant industries from the threat of exotic fruit fly which annually enter Torres Strait. Preventing the establishment of exotic fruit fly species on the Queensland mainland ensures that Queensland trade status is protected and the costly impacts of the pests on horticultural production are prevented.

The project is delivered according to a nationally agreed Response Plan that is funded by all states and territories and relevant industries through national cost sharing arrangements under the EPPRD. The program is delivered jointly by Biosecurity Queensland and DAFF through its Northern Australia Quarantine Strategy (NAQS).

### Varroa mite Innovation and Resilience Initiative

The Varroa Mite Prevention and Preparedness Program was a disease/pest prevention and preparedness program established to develop strategies and implement emergency response activities including permitting, compliance, and tracing and surveillance within Queensland. The program was created as a result of the detection of *Varroa destructor* in Newcastle, New South Wales on 22 June 2022.

Following the decision by the National Management Group (NMG) that *Varroa destructor* is no longer technically feasible to eradicate, Queensland will join other Australian states and territories in transitioning from eradication to management of varroa mite. Once varroa mite is in Queensland, Biosecurity Queensland will take proactive measures to slow its spread in line with the nationally agreed approach.

The Varroa Mite Prevention and Preparedness Program concluded on 30 June 2024 and the Queensland Government has announced additional funding of $5.5 million over three years from 2024/25 for the collective action to manage *Varroa destructor* through shared responsibility through the Varroa mite Innovation and Resilience Initiative from 1 July 2024.

## Area 3 – Surveillance, Control and Containment

The Surveillance, Control and Containment sub-program has four major activity areas as described below.

### Surveillance Systems

The surveillance systems project implements surveillance that provides evidence to support claims about Queensland's plant health status. Surveillance aims to detect EPP prior to their establishment in production areas, delimit infestations of EPP and substantiate claims of area freedom to support market access for Queensland produce. The PB&PI program works with various other agencies to broaden the area freedom and response surveillance network. The project also includes planning and prioritising surveillance activities, working with community and industry to capture passive surveillance data, implementation of training, assessment, and auditing programs for surveillance, and maintaining information management systems for surveillance.

### Forest Health

The Queensland Government has a dedicated forest health unit within the DAF Horticulture and Forestry Science Program that has expertise in entomology and pathology. As well as its responsibilities with endemic pests, the unit carries out biosecurity-related activities including:

- undertaking surveillance and monitoring programs for emergency plant pests and other exotic and endemic pests of biosecurity significance. Emergency plant pest monitoring is carried out in ports, plantations, and other high-risk sites as part of the Forest Watch Australia program.
- response and advice to tree health related public enquiries.
- participation in the Forest Watch Australia program and any ongoing development of the surveillance activities.
- supporting containment programs for pests of restricted distribution such as West Indian drywood termite (under long-term containment in Queensland).
- management of myrtle rust impacts across Queensland priority species and ecosystems.
- providing input to national policy and forest health activities through membership on the Australian Forest Products Association (AFPA) Forest Health and Biosecurity Sub-Committee (FHaB). This group is comprised of both AFPA industry members and relevant technical experts from government and research agencies nationally.
- input into forest industry priority pest lists.
- supporting responses to emergency plant pest incidents concerning the forest sector, in collaboration with Biosecurity Queensland. However, capacity to respond to forest insect pests has now diminished.
- participating in regional and international research projects that support biosecurity objectives and expand international biosecurity networks and improve detection and reporting of emerging biosecurity threats.
- expanding forest health and biosecurity capacity through the development and delivery of training for Indigenous rangers and Queensland Parks and Wildlife Service staff. Programs are now extending to establish surveillance and reporting programs focussed on forest pests and pathogens.
- providing diagnostic services for forest diseases. Where possible, pest identifications are done in collaboration with GrowHelp and Biosecurity Queensland entomologists.

### Cooperative Surveillance

The Cooperative Plant Pest Surveillance project (CoSurv) strengthens Queensland's biosecurity through an evidence-based, collaborative approach to surveillance with strong stakeholder engagement. It adopts a systems approach to data standards and integrity, boosting confidence in biosecurity measures.

CoSurv is developing a practical methodology for surveillance, pest area and proof of freedom, and pest status reporting, aligning with national and international standards to protect and enhance Queensland's market access.

### Control and Containment

The main Control and Containment project activities are:

- Develop plant pest control and containment systems through the application of regulatory tools in partnership with industry and the community, to minimise their opportunity for spread.
- managing pests under official control, including banana bunchy top virus, black Sigatoka, Fiji leaf gall and papaya ringspot virus to reduce their impact on industry.
- control and containment of pests of bees and pest bees.
- containment and exclusion of pests, including grape phylloxera in central inland Queensland, and containment of pests in Far Northern Biosecurity Zones 1 and 2.
- managing the transition of highly successful Panama disease tropical race 4 (Panama TR4) control and containment to industry management.

## Area 4 – Market Access

The Market Access sub-program has two major activity areas as described below.

### Market Access Systems

Market Access Systems activity facilitates market access for plants and parts of plants into and out of Queensland while preventing the introduction and spread of endemic pests and diseases of quarantine concern, as well as containing and controlling endemic plant pests of significance. Activities under the project include:

- negotiating domestic market access conditions for Queensland produce.
- planning and prioritising market access activities.
- developing, implementing and maintaining up to date information management systems for certification and accreditation systems.
- investigating new and innovative systems that support access for plants and plant produce to markets with quarantine restrictions.

This project area seeks to retain/gain market access for Queensland's plant and plant product industries and ensure product traceability requirements are met.

### Certification and Accreditation Services

The Certification and Accreditation Services facilitate the movement of plants and plant products into and out of Queensland, and helps other jurisdictions prevent, control, or remove plant pests and diseases. This is done by verification of consignments of plants and products and associated carriers of biosecurity matter to ensure they meet specified intra and interstate quarantine or market access requirements. Activities include:

- Government Inspection and Certification Services (GIS).
- Interstate Certification Assurance (ICA) Scheme accreditation.
- area and property freedom accreditation and certification.
- other statements or declarations relating to plant health certification required by another state or territory government or DAFF.

## Area 5 – Laboratory and Diagnostic Services

The Laboratory and Diagnostic Services sub-program provides scientific, diagnostic testing, research support and sound decision making based on scientific advice to the PB&PI program, other Biosecurity Queensland programs and the wider DAF. The sub-program also influences R&D priorities to meet program needs to enhance laboratory diagnostic capacity at state and national levels.

The Laboratory and Diagnostic Services sub-program has two major activity areas as described below.

### Plant Biosecurity Laboratory

The Plant Biosecurity Laboratory provides plant health diagnostic and scientific support capability and capacity that underpins the policy and operational activities of PB&PI, by providing accurate and rapid diagnostics of plant pests and diseases together with robust scientific advice. The laboratory operates under a quality management system and is accredited to ISO/IEC 17025 (2018) by the National Association of Testing Authorities (NATA) for a range of plant diseases and pests. The Plant Biosecurity Laboratory is also home to state significant biological reference collections of plant pathogens and insect pests, including a living culture collection. These collections are recognised nationally and internationally, enable reliable identification of plant pests and diseases, support research and provide information on the status of plant pests in Queensland.

### Chemical Residue Laboratory

The Chemical Residue Laboratory provides specialist chemical testing, and advisory services to PB&PI, Animal Biosecurity and Welfare (AB&W) and Invasive Plants and Animals programs (IP&A). The laboratory also provides services to a range of external clients including the National Residue Survey, the University of Queensland, and private businesses. Of key significance, the laboratory provides assistance on high priority issues impacting on Queensland's biosecurity and market access for the State's agricultural produce.

## Area 6 – Agvet Chemicals and Contaminants

The Agvet Chemical and Contaminants area mitigates the risks and impacts to the economy, environment, and human health that may result from agricultural and veterinary chemical use and contaminants in agricultural produce or production systems.

This area also provides support to Incident responses by ensuring timely and appropriate access to chemical permits which may be used to control or eradicate emergency plant pests.

## Area 7 – Plant Biosecurity and Product Integrity Operations

The Operations section is the state-wide operational arm of the PB&PI program. Operations play a key role across the state in coordinating regional biosecurity planning, community engagement, compliance and the operational aspects of biosecurity prevention, preparedness, surveillance, response, and ongoing management of the program's functions.

Operational staff in the PB&PI program are led by an Operations Manager who is supported by three Senior Principal Biosecurity Officers. Operational services are delivered out of 14 offices divided across three operational zones:

- North
- Central
- South.

## 15.3

# NSW GOVERNMENT STATEMENT ON PLANT BIOSECURITY

## July 2022

### OUTLINE

New South Wales is a signatory to the national Intergovernmental Agreement on Biosecurity (IGAB) (https://www.agriculture.gov.au/biosecurity/partnerships/nbc/intergovernmental-agreement-on-biosecurity) and the complementary response agreements that set out signatories' roles and responsibilities in the event of a biosecurity emergency.

The scope of biosecurity in New South Wales incorporates a range of objectives, such as:

- driving forward New South Wales government priorities for a strong economy and resilient local communities and environments
- providing an integrated coordination and governance system
- maintaining and improving readiness for and management and control of biosecurity threats
- assessing biosecurity risks and mitigation measures to support healthy industries, communities and environments
- delivering biosecurity research and diagnostics
- facilitating planning, monitoring and reporting of biosecurity incidents and programs

### STRUCTURE

The Department of Regional New South Wales was formed in 2020 as a central agency for regional issues in New South Wales. The Department is responsible for building resilient regional economies and communities, strengthening primary industries, managing the use of regional land, overseeing the state's mineral and mining resources and ensuring government investment in regional New South Wales is fair and delivers positive outcomes for local communities and businesses.

The NSW Department of Primary Industries is one of seven component corporations, commissions and agencies which comprise the Department of Regional NSW. Within the Department of Primary Industries, the division, Biosecurity and Food Safety, leads biosecurity policy, risk mitigation, preparedness and response, with plant biosecurity responsibilities coordinated by the Plant Biosecurity and Product Integrity unit.

Six cross divisional collaborative pillars have been identified for the future focus of the Department of Primary Industries as it works to make a strong positive impact on primary industries, the communities they support and the resources they rely on. 'Biosecure industries and environments' is one of these pillars, along with 'response capacity', 'sustainable resources and productive landscapes', 'economic growth', 'carbon neutral and climate resilience' and 'food safety and animal welfare'.

Bridging the Department of Primary Industries state level coordination to growers and communities across New South Wales is the Local Land Services agency which is responsible for promoting biosecurity at regional and local levels in partnership with industries and communities. Other biosecurity partners are environmental land and public estate agencies, agricultural enterprises and community interest groups. Together these cover a range of functions including management of national parks, protected areas and botanic gardens, biodiversity, conservation, climate change, sustainability, renewable energy, waste management and resource recovery.

NSW government agencies achieve their biosecurity commitments through:

- corporate goals, divisional strategies and management structures
- established response mechanisms and well-trained staff
- structured inter-and intra-state quarantine measures and quality assurance systems
- plant pest information systems
- agricultural plant and forest health services and networks
- plant biosecurity research
- diagnostic laboratories accredited under national and international standards
- curated scientific collections of plant pests and diseases
- targeted pest and disease monitoring and surveillance including forest health
- multi-pronged consultation with biosecurity stakeholders
- structure and informal collaboration with land managers, community members, industry representatives and regional specialists

**LEGISLATION**

Primary legislative and regulatory responsibility for biosecurity in New South Wales sits with the Department of Primary Industries through administration of the NSW *Biosecurity Act 2015* (the Act). The Act presents and promotes a risk-based approach in responding to plant pests. It is designed to work in partnership to protect New South Wales industries, environments and communities from biosecurity risks and contribute to economic growth. Powers under the Act have proven appropriate for timely and flexible responses to exotic incursions. Subordinate legislation under the Act is reviewed and updated to reflect changes in pest status and scientifically justified risk mitigation measures.

In addition to the *Biosecurity Act 2015,* other enabling legislation with relevance to plant biosecurity allocated to the Minister for Agriculture includes the *Agricultural and Veterinary Chemicals (New South Wales) Act 1994*, *Agricultural Scientific Collections Trust Act 1983*, *Biological Control Act 1985*, *Food Act 2003* and the *Local Land Services Act 2013*.

**BIOSECURITY CAPABILITY**

Functional roles delivered by the Plant Biosecurity and Product Integrity unit include promoting awareness of exotic plant pest and disease threats, building understanding and industry engagement in biosecurity, coordinating surveillance and surveillance data capture,

responding to emergencies and exotic plant pest reports, enhancing domestic market access for New South Wales plants and plant products, providing advice for safe and effective farm chemical options and use as well as delivering industry specific biosecurity programs for bees and grains.

The Plant Biosecurity and Product Integrity unit collaborates closely with the emergency management, compliance, agriculture, diagnostics and research arms of the Department of Primary Industries to ensure that biosecurity capability in reporting and data management, first response, surveillance, regulation and inspection services, diagnostics and technical support can be effectively delivered.

A network of regional offices and research stations is in place across New South Wales staffed by personnel with operational, extension and research expertise. The resources of government agencies and Local Land Services are supplemented by staff in local government areas and linear infrastructure to provide front line awareness of biosecurity threats.

**PREPAREDNESS AND INCIDENT RESPONSE**

New South Wales is committed to achieving high levels of training and participation in emergency plant pest responses. The Department of Primary Industries, as the lead agency for emergency response in New South Wales, has identified key positions and personnel within the organisation to take specific roles in managing incursion responses. Access to the training is not restricted to Department of Primary Industries staff and is available to other agencies and organisations by negotiation. Local Land Services staff are involved in incident preparedness and response as part of their core business. Staff employed in the National Parks and Wildlife Services as field officers and specialist pest management officers are trained and experienced in implementing the Australasian Inter-service Incident Management System (AIIMS) and various AIIMS roles.

Technical experts in Plant Biosecurity and Product Integrity contribute to national emergency plant pest preparedness though being involved on Scientific Advisory Panels, Categorisation Group meetings, reviewing national documentation such as Import Risk Analyses and International Plant Protection Standards and the development of diagnostic protocols for exotic organisms of concern. Representation on and active participation in national committees and working groups is a major component of routine work delivered by the Plant Biosecurity and Product Integrity unit.

The Department of Primary Industries is actively working with key industries in New South Wales to build preparedness capabilities. Collaborative projects have commenced for in viticulture in New South Wales and include delivering a Xylella preparedness program and an emergency management training package.

**SURVEILLANCE**

The Plant Biosecurity and Product Integrity unit of New South Wales Department of Primary Industries coordinates specific and general surveillance programs to support market access, provide assurance of area freedom from designated pests and to respond to incursions of exotic plant pests whether through early detection, delimiting or tracing activities. The Local Land Services network is a key enabler in gathering front line surveillance information across New South Wales.

General surveillance and reporting rely on the principle that biosecurity is a shared responsibility and utilises departmental officers, diagnostic laboratories, research centres, Local Land Services and community members. Enquiries can be made through the exotic plant pest hotline 1800 084 881 and the New South Wales biosecurity email address: biosecurity@dpi.nsw.gov.au . Publicly accessible materials such as Primefacts on notifiable plant pests and diseases in New South Wales provide a summary of information and key resources about emergency plant pests and reporting.

The Plant Biosecurity and Product Integrity unit delivers jurisdictional responsibilities for the National Plant Health Surveillance Program. This program involves active surveillance by technical experts for a suite of nationally designated key pests and diseases using a variety of tools including trapping and visual inspection around priority ports of entry and risk pathways. The key targeted pests include spongy moths, exotic fruit flies, exotic bees and bee pests, exotic stink bugs, exotic ants and exotic citrus diseases and the vectors of those diseases.

**DIAGNOSTIC SERVICES**

New South Wales Department of Primary Industries Plant Health Diagnostic Service at Elizabeth Macarthur Agricultural Institute (Menangle) and the Biosecurity Collections at Orange Agricultural Institute (Orange) offer quality accredited services covering cropping, amenity, forestry and native plant diagnostics, insect and mite identification, soil borne pathogen monitoring, imported seed associated pathogen testing as well as target pathogen or pest freedom testing for export commodities.

PlantClinic, within the Royal Botanic Gardens Sydney, Department of Planning and Environment, houses a strong Plant Pathology and Mycology research program and the Plant Disease Diagnostic Unit which provides a wide range of disease diagnostic and plant DNA identification services for the public, industry and government agencies. Diagnostic services, research and educational collaboration is available through linkages with city and regional universities.

**MARKET ACCESS**

The Department of Primary Industries is committed to optimising trade for New South Wales businesses. It does this by imposing technically justified and least trade restrictive import conditions to protect the state from plant pests assessed as presenting risks to horticultural

or agricultural production while also assisting businesses access other domestic and international markets.

Import conditions for plant and plant products into New South Wales and other jurisdictions often require certification. These certificates can be issued by authorised officers under the *Biosecurity Act 2015* (Plant Health Certificates) or by accredited biosecurity certifiers under that Act.

Entities accredited as biosecurity certifiers can self- certify that plants and plant products meet stated import conditions for domestic trade. Self-certification arrangements incorporate quality assurance principles to guarantee adequate protection against the introduction of plant pests and structured auditing arrangements to ensure compliance. Self-certification arrangements include those under the national Interstate Certification Assurance Scheme and the BioSecure HACCP program administered by Greenlife Industries Australia.

The Plant Biosecurity and Product Integrity unit also issues area freedom certificates and various permits to facilitate domestic trade in plants and plant products. A component of this work is to initiate pest risk assessments as needed and review interstate and national documents circulated for comment. Input by technical experts is obtained in reviewing assessments relevant to commodities produced in New South Wales.

**INFORMATION MANAGEMENT**

New South Wales has adopted the MAX biosecurity case management system for routine surveillance and emergency response. New South Wales has deployed Trapbase for static trapping surveillance and uses the MyPestGuide Reporter app for surveillance activities. Surveillance data are contributed to AusPestCheck to support collation, sharing and visualisation of plant pest surveillance activities in accordance with nationally harmonised policies and processes.

The Department of Planning and Environment is custodian of vegetation data and mapping. The Atlas of NSW Wildlife is a database of flora and fauna sightings which can serve as a passive surveillance community interface for plant pests. The Botanic Gardens Trust manages the National Herbarium, a comprehensive collection of living and preserved plant life in New South Wales and PlantNet, a web based science information portal including WeedAlert and FloraOnline. The Agricultural Scientific Collections Trust is custodian of plant pathology and entomology specimens and original art and artefacts housed at Orange Agricultural Institute, Orange. The collections include the insect and mite collections, plant pathology herbarium, living cultures collections and forestry insects and pathogens collections.

**AWARENESS, COMMUNICATIONS AND COMMUNITY ENGAGEMENT**

Accessible tools for plant pest awareness and information are available on the plant biosecurity pages on New South Wales Department of Primary Industries website https://www.dpi.nsw.gov.au/biosecurity/plant These resources include fact sheets on biosecurity procedures and specific plant pests, opt-in newsletters and updates and points of contact by the public through the biosecurity email biosecurity@dpi.nsw.gov.au Local Land Services is a frontline agency with a regional presence for industry and community engagement. Each of the 11 regions produces regionally targeted reports and information which can be accessed through the Local Land Services website https://www.lls.nsw.gov.au/

New South Wales Department of Primary Industries collates and releases media and community awareness publicity for plant pest and disease issues and achievements and domestic quarantine matters such as the movement of fruit and vegetables across state borders. The Travellers Guide to Interstate Quarantine addresses risks and regulations and advice related to intra-and inter-state movements of fruit, vegetables and other plant materials.

## 15.4

## STATEMENT OF BIOSECURITY POLICIES AND PROGRAMS FOR PLANT AND APIARY INDUSTRIES IN THE STATE OF VICTORIA

### 1. INTRODUCTION

The Victorian Government, through Agriculture Victoria, within the Department of Energy, Environment and Climate Action (DEECA), has a comprehensive package of biosecurity policies, legislation and procedures aimed at maintaining Victoria's freedom from pests and diseases. These pests and diseases could adversely affect trade within the public health and food safety markets leading to an impact on the economy and the wider environment.

Agriculture Victoria maintains infrastructure and provides resources to identify and manage any serious plant or apiary pests and diseases. Victoria also has in place an emergency management framework that enables a whole-of-government response to outbreaks of Emergency Plant Pests (EPPs) that have evaded Australia's quarantine barrier or which are newly emerged.

Within Agriculture Victoria, plant and apiary biosecurity programs for pests and diseases are primarily managed by the Chief Plant Health Officer Branch (CPHOB) and Plants Chemicals and Invasives Branch (PCI). Agriculture Victoria is responsible for the development of state plant and apiary biosecurity policy and legislation, and the delivery of systems, standards and services to Victoria's food and agriculture sector as well as the natural and built environment. This covers plant and apiary based primary industries, amenity and native vegetation on both private and public land. Agriculture Victoria adopts risk management principles to guide strategy development and for the planning, development and delivery of these services.

Biosecurity services and activities in the state are guided by the Agriculture Victoria Strategy. The Strategy seeks greater collaboration between government, industry and community in biosecurity and is articulated through six domains with the following being of greatest relevance to plant and apiary biosecurity: trade and market access, smarter regulation and risk management. The Victorian Biosecurity Strategy provides further vision that guides plant and apiary biosecurity investment and enhancement in the state.

Industries supported through Agriculture Victoria include grains, horticulture, apiary, amenity and private plantation forestry, as well as natural and plantation forests and parks, including public land in Victoria.

The capability and capacity of Victoria to meet national obligations of the Emergency Plant Pest Response Deed (EPPRD) are covered under the following functions.

### 2. POLICY

Agriculture Victoria is responsible for developing and implementing state and national biosecurity policies, which is done in collaboration with other government agencies, industries and other stakeholders within the national biosecurity framework, including commitment to national agreements such as the Intergovernmental Agreement on Biosecurity (IGAB) and the EPPRD. Victoria contributes to national policy development through a broad range of committees, including the National Biosecurity Committee, Plant Health Committee and its associated subcommittees, the National Bee Pest Steering Committee, Environment and Invasives Committee, and the EPPRD prescribed National Management Group and Consultative Committee on Emergency Plant Pests (CCEPP). Victoria also contributes internationally through the International Plant Protection Convention Technical Panel for Diagnostic Protocols and the Plant Health Quads Diagnostic Tools project.

Victoria is committed to providing policy and technical expertise to assist Plant Health Australia (PHA) with the review and implementation of the EPPRD and PLANTPLAN, as well as other national strategies, through attendance at PHA general meetings and forums and providing policy and technical representation on national Consultative Committees, emergency pest and disease categorisation groups and scientific advisory panels convened to help manage incursions of EPPs.

The management of plant and apiary biosecurity issues under the EPPRD requires the effective and timely use of a suite of tools that includes legislative and non-legislative measures.

## 3. LEGISLATION

### Plant biosecurity

The *Plant Biosecurity Act 2010* (PBA) and associated subordinate legislation, provide a legislative framework for the effective management of plant pests and diseases. It aims to prevent the entry of pests and diseases into Victoria, manage and control the spread of pests and diseases within the State and maintain productivity and market access for plants and plant products. The PBA applies to plants and plant products, machinery, used packages and earth material. The management of noxious weeds however is supported by the *Catchment and Land Protection Act 1994*.

The PBA provides state-border biosecurity by controlling the importation into Victoria of plant materials, machinery, used packages and soil that may host pests and diseases.

To prevent pests and diseases from spreading and establishing within Victoria, the PBA provides for post-border biosecurity through powers to declare areas to contain, control or eradicate a pest or disease. It includes provisions that require persons to report a suspect EPP, and powers for inspectors to seize and destroy infected, suspect and at-risk materials.

To support border and post-border biosecurity requirements, the PBA provides for traceability of plant products via labelling, standards for used packaging, certification requirements for market access, co-regulation arrangements (compliance agreements and accreditation), sanctions and enforcement powers.

### Apiary biosecurity

The *Livestock Disease Control Act 1994* (the Act) and *Livestock Disease Control Regulations 2017* (the Regulations) provide the legal basis for the monitoring and control of diseases of animals and bees in Victoria. The Act requires the suspicion of the presence of an exotic or notifiable bee pest or disease to be reported immediately.

The Regulations were amended on 12 June 2019 to incorporate the requirements of the Australian Honey Bee Industry Biosecurity Code of Practice (Code). The Code provides a clear framework for all beekeepers to engage in best-practice biosecurity. Its purpose is to help improve the management of established pests and diseases, as well as increase preparedness and surveillance for exotic pests and diseases that threaten our honey bee industry, such as the Varroa mite. The Regulations operate under the Act to provide requirements to protect Victorian livestock (including bees) from disease and to maintain and enhance domestic and international market access.

The Act and Regulations provide requirements, infringement offences and penalties relating to the testing, notification and prevention of apiary pests and diseases, the identification and movement of bees, apiary products and equipment into Victoria. It also covers the seizure and disposal of apiary products and equipment. Registered beekeepers may be eligible to receive compensation if their bees and hives are destroyed or irradiated due to infection by the honey bee brood disease, American foulbrood.

In addition to the requirements of the Act and Regulations all Victorian beekeepers are required to comply with the Apiary Code of Practice 2011.

## 4. SCIENTIFIC AND DIAGNOSTIC CAPABILITY

Agriculture Victoria maintains extensive scientific in-house expertise in bee pests and disease, plant pathology, plant bacteriology, plant virology, entomology, nematology, risk assessment, risk modelling and epidemiology. Agriculture Victoria can call upon staff from Agriculture Victoria Research (AVR) to provide more specific capability and capacity as required.

AVR maintains an extensive state reference collection of insect pests and disease organisms, which are catalogued and linked to the Australian Plant Pest Database (APPD). Agriculture Victoria provides resources to maintain and develop the collection and for ongoing database development of the

collection. This database provides the basis for pest status reports to support market access for Victorian produce.

AVR also operates the Crop Health Services (CHS) laboratory at AgriBio, Bundoora, for the diagnosis of a range of exotic and endemic pests and diseases, including EPPs. Limited plant pest and disease diagnoses are also carried out at some regional research institutes (e.g. Horsham Grains Innovation Park).

Additional services are sourced from CHS during incursions, including diagnostic support for surveillance programs. CHS will also facilitate surge capacity when required through the National Plant Biosecurity Diagnostic Network under the direction of the Subcommittee on Plant Health Diagnostics (SPHD).

### 5. PREVENTION

The movement of bees, apiary products, plants and plant products are regulated to protect plant and apiary-based sectors from pest and disease threats, which occur elsewhere in Australia or from overseas. Regulation is achieved through:

- Importation Orders, which set out specific quarantine conditions for plants and plant material, agricultural machinery and other vectors entering Victoria.
- Health certification for the entry of bees, bee products and beekeeping equipment.
- Inspection of prescribed material on arrival in Victoria by Agriculture Victoria inspectors or businesses accredited by Agriculture Victoria under a Compliance Agreement.
- Implementing communication and awareness programs to alert commercial operators and the public to regulatory requirements and compliance monitoring patrols and roadblocks to target commercial operators and travellers moving into the state or pest free areas within the state.
- Conducting *ad hoc* inspections on prescribed material at high-risk premises, distribution centres and wholesale and retail markets.

### 6. PREPAREDNESS

Victoria maintains the capability to plan and prepare for incidents and allow for response requirements outlined in PLANTPLAN.

Preparedness work is focussed on process improvements to ensure responses for EPPs operate as efficiently as possible. Staff are trained in processes that are used for any EPP and there is a strong culture of continuous improvement.

Staff participate in the development and review of industry-specific biosecurity plans and from these CPHOB develops and reviews the state list of high priority exotic plant pests and undertakes Pest Risk Assessments. CPHOB also maintains a documented Generic Emergency Plant Pest Response Plan and several specific contingency plans for plant and apiary high priority pests which are reviewed periodically.

Agriculture Victoria runs and participates in simulation exercises as part of plant emergency preparedness training and uses these to review and document capability and capacity requirements under a state Model of Cover for high, intermediate and low-level emergency responses, as well as more long-term project-based priority responses. Agriculture Victoria has a range of staff who have experience responding to biosecurity emergencies such as Varroa, chestnut blight and giant pine scale and through deployment to other biosecurity incidents.

Agriculture Victoria invests considerable resources into preparedness training and competency-based emergency response roles within the Biosecurity Incident Management System (BIMS) structure. Training is developed and delivered as a biosecurity group to ensure staff skills can be applied across both plant and animal biosecurity responses under PLANTPLAN and AUSVETPLAN. Specific plant pest response training is also delivered where required (e.g. Technical Specialist and Industry Liaison Officer training for plant biosecurity responses). Where appropriate, assessments are developed to meet national competencies set by Biosecurity Emergency Response Training Australia (BERTA). Agriculture Victoria partners with PHA in the development and delivery of training, especially for national roles such as industry liaison, and national exercises.

## 7. SURVEILLANCE

Agriculture Victoria staff plan and conduct a suite of surveillance activities according to annual surveillance plans, in order to provide evidence that enables early detection and response to EPPs, validates pest free status for market access purposes, and provides support for imposition of import restrictions. The National Plant Health Surveillance (NPHS) program is the flagship program for early detection of priority pests (for example exotic fruit flies, spotted winged Drosophila, BMSB, spongy moth, etc.) at high-risk entry and establishment points. The program primarily focuses on targeted surveillance networks and in recent years has trialled collaborations with funded research (AVR and external funding bodies) and industry programs (Citrus Australia) for pests such as Asian citrus psyllid and spotted wing Drosophila and aligned with community of practice programs, such as the Urban Plant Health Network to promote urban biosecurity.

In addition to our flagship targeted surveillance programs, Agriculture Victoria staff are also leading several long running and burgeoning general surveillance programs. These include delivery of the nationally recognised CropSafe program to develop area freedom statements for exotic pests and diseases and enhance market access in the Victorian grains industry through capture of agronomist reporting. More recently, engagement with botanic gardens, community gardens and urban gardeners through the Urban Plant Health Network has aimed at improving reporting of suspect exotic pests through MyPestGuide™.

In the domestic quarantine space, Agriculture Victoria conduct presence or absence surveys in response to reports of incursions of EPPs in other states and where Victoria is required to justify restrictions based on area freedom. Agriculture Victoria monitor permanent trapping networks for risk pathways and in production regions for quarantine pests such as Queensland and Mediterranean fruit fly. Agriculture Victoria also survey crops for market access purposes for regulated pests and diseases, such as phylloxera and potato cyst nematode (PCN).

Agriculture Victoria also have a key role in the apiary space, implementing the National Bee Pest Surveillance Program, which utilises 22 sentinel hives and 48 swarm catch boxes to monitor for varroa, tracheal and tropilaelaps mites, and undertakes sweep netting for exotic bees (*Apis dorsata*, *A. florea*, *A. cerana*). Agriculture Victoria also leads a sugar shake program, where hundreds of Victorian beekeepers test their hives three times a year to monitor for varroa mites.

Surveillance records are stored in BioWeb, which is connected to AUSPest*Check*™ to enable national surveillance data sharing.

CHS provides enhanced general surveillance to Victorian and Australian plant industries. Any new pest and pathogen identifications are immediately reported to the Chief Plant Health Officer (CPHO) for further investigation. Specimens are added into the state's reference collections and this data contributes to APPD and supports area freedom statements for exotic pests and pathogens to enhance market access.

## 8. AWARENESS AND REPORTING

Agriculture Victoria expends considerable resources in communication to increase awareness of regulatory and technical requirements at the industry and community level.

This includes facilitating reporting of plant and apiary EPPs using the National Exotic Plant Pest Hotline, DEECA's Customer Contact Centre, a dedicated email service (plant.protection@agriculture.vic.gov.au), MyPestGuide™ Reporter, via a web-based reporting form and through a network of plant and apiary biosecurity officers around Victoria. For the wider community, Agriculture Victoria encourages reporting using its website and through distribution of printed information, media releases and other educational material for a range of pests and diseases, including fruit flies and grape phylloxera.

Victoria's engagement with the MyPestGuide™ Reporter app is enabling Agriculture Victoria to assess and inform the development and functioning of the PHC-endorsed national biosecurity reporting tool.

A person, who knows, or has reason to suspect, that an exotic plant or apiary pest or disease is present is required to report it to Agriculture Victoria. Reporting of suspect plant or apiary EPPs by industry is specifically encouraged through projects promoting biosecurity in the horticulture, apiary,

grains and viticulture industries and by targeted industry updates and pest alerts to affected industries. In the grains industry, Agriculture Victoria participates in the PHA Grains Farm Biosecurity Program and the CropSafe project facilitates early detection and reporting of pests using a network of agronomists. CHS also has a commitment to report all new records to the CPHO.

In preparation for an EPP detection in Victoria, Agriculture Victoria has developed a generic communication plan and specialist support to maximise its effectiveness to facilitate community and/or industry awareness and to foster additional reporting.

## 9. BIOSECURITY RESEARCH

Agriculture Victoria supports a biosecurity research program, which is largely delivered by Agriculture Victoria Research to:

- Develop rapid diagnostic tests for the detection of endemic pests and diseases and high priority EPPs (e.g. *Xylella fastidiosa*).
- Develop surveillance tools and protocols (e.g. point-of-care diagnostics; metabarcoding) for improving early detection and validation of pest and disease freedom.
- Improve taxonomic clarification of pests and pathogens present in Victoria and Australia.
- Understand the biology, prevalence and management of pests and diseases, such as PCN.
- Understand the impact of climate change on endemic and exotic pest and disease threats.
- Develop tools for improved detection, diagnosis and management of fruit fly(ies).
- Biocontrol for management of pests, such as giant pine scale.
- New tools and practices for improved containment/management of grape phylloxera.

## 10. IT MANAGEMENT

Agriculture Victoria has developed and proven a web-based case management application, MAX, which is a spatial dynamic case management platform that has features such as client information, surveillance and sample information capture and mapping. MAX can be used for recording tracing information, logging phone enquiries, property status, visits and treatments. MAX has proven to be flexible in responses to plant pest emergencies and can be developed rapidly. MAX is also compatible with the AgLIMS system that has been developed and used by CHS to manage diagnostics data associated with field samples, and interoperability between the systems is being enhanced. Recent improvements to the platform include the new spatial features for response such as beelining.

Agriculture Victoria has made a commitment to develop systems to enable MAX to interface with the national platforms such as AUSPest*Check*™ and national taxonomy tools to allow collation of surveillance and response information nationally. The MAX platform and associated apps have been made available to other jurisdictions and adopted by all states and territories. A project is underway to transition support and development of the MAX platform into being a nationally governed platform. A long-term aim is to build on the current animal health Property Identification Code system and compile property identification registers, which will support more effective tracing systems for the key plant industries. A number of traceability improvement initiatives for plant industries have been supported by government investment and are proceeding over the next few years. Agriculture Victoria has migrated “Flybase” to the TrapbaseMAX application with over 600,000 trap reads completed electronically and has implemented electronic issuing of Plant Health Certificates. A project is underway to implement a new authenticated online “one stop shop” to improve all plant industry and community interactions with the department and associated biosecurity and compliance services.

Projects to pursue adoption of analytics tools and new technologies such as machine learning for plant biosecurity data are under way.

The BeeMAX beekeeper online registration and surveillance database system facilitates the sharing of information between more than 10,000 Victorian beekeepers and Agriculture Victoria. This system will strengthen Victoria’s honey bee biosecurity and response capability.

## 11. RESPONSE

The Victorian Government, through Agriculture Victoria, has high level emergency management capability to deal with EPPs. The response framework is based on the BIMS structure. Each year Agriculture Victoria, through the CCEPP and National Management Group framework, manages with, or assists other jurisdictions to manage, a range of plant and apiary pest detections and responses. Agriculture Victoria can call upon assistance from other divisions within DEECA and other state government agencies to respond to biosecurity emergencies.

Victoria's ability to effectively respond in a timely manner to a range of EPPs is enabled by a high level of preparedness, capability and capacity, the key elements of which include:

- Generic plans/templates developed to facilitate emergency response
- Prepared EPP Response SharePoint site and associated Teams channels to enable Virtual Control Centre (VCC) functionality and improved communications within and between functional areas
- Plant Hub to store templates, policies and worked examples for materials that relate to before, during and after an IMT
- Surveillance programs based on high-risk entry pathways to detect and respond promptly to EPP and/or apiary incursion.
- Engagement programs to promote awareness and reporting of EPPs
- A legislative framework which supports control measures to detect, eradicate or contain an EPP or apiary incursion.
- Emergency management arrangements that can ensure a multi-agency response involving all relevant Victorian agencies (including Emergency Management Victoria, state response agencies (e.g. State Emergency Service, Country Fire Authority, Parks Victoria) and emergency departments (E.g. Victoria Police, Department of Health) and local government).
- Diagnostic services available within Agriculture Victoria to support emergency responses.
- Key operational plant and apiary staff participation in emergency response training and simulations under the BIMS framework.
- Model of Cover to identify and target staff development for priority emergency roles.
- Capability development and training for technical specialists.
- Availability of staff, who have previous experience in a range of biosecurity emergency responses such as Varroa mite, avian influenza and chestnut blight.
- Ongoing review and upgrade of information technology, processes and mapping systems, which provide readily available data to support the response and complement national programs.

Agriculture Victoria has developed a Transition to Project (T2P) process to enable emergency responses to transition to delivery by a project team. Key outcomes from the T2P process include:

- manage and reduce levels of fatigue in the organisation.
- improve staff health and safety.
- reduce incidents, injuries, absenteeism and staff turnover.
- reduce costs associated with the response.
- improve staff performance and productivity.
- release deployed staff to return to their substantive positions.
- ensure a consistent knowledge base for the remainder of the response.
- address ongoing issues with resourcing the emergency response.
- manage the response during business as usual (BAU) hours for the remainder of the response.

## 12. MANAGEMENT OF ESTABLISHED PLANT AND APIARY PEST AND DISEASES, AND APIARY PEST CONTROL PROGRAMS IN VICTORIA

Agriculture Victoria has a range of mechanisms to effectively deal with the containment and management of regulated plant and apiary pests and diseases which are under national or state management through the delivery of exclusion or containment programs, whether on private or public lands. These include regulatory support, protocols and major programs to control and manage fruit fly species of economic concern, phylloxera, green snail, PCN and American foulbrood.

Owners or occupiers of land may be required to manage or otherwise control or destroy plants, including feral or neglected plants, affected by pests and diseases. Similarly, the *Livestock Disease Control Act 1994* and Regulations requires beekeepers to manage, destroy or sterilise affected bee colonies, apiary products (e.g. honey, wax, pollen etc.) and equipment affected by prescribed apiary pests and diseases. Such powers are exercised in accordance with well documented policies and procedures. Agriculture Victoria is proactive in maintaining industry awareness and compliance with infested land management in the state and provides legislative support to ensure compliance where required.

## 13. MARKET ACCESS AND DOMESTIC QUARANTINE

Victoria delivers an effective, risk based domestic quarantine and market access program in a manner consistent with the IGAB and Australia's obligations under the International Plant Protection Convention (IPPC). This includes but not limited to, plant health certification programs delivered in support of market access and productivity outcomes for the state.

Plant health certification programs are enacted as a risk management measure for pests or diseases which are considered to be a significant risk to Victoria's biosecurity status. This includes risks associated with trade, which is addressed through the provision of certification programs, or productivity which is addressed through provision of exclusion and containment programs.

If a pest or a disease is known to be present in Victoria, whether declared or exotic, a Plant Health Certificate or Plant Health Assurance Certificate can be used to demonstrate a consignment is meeting quarantine requirement specified by another state, before movement into that state.

## 14. KEY STATE CONTACTS

PHA Representatives – Dr Rosa Crnov (0439 384 382) and Dr Stephen Dibley (0455 088 152)

Chief Plant Health Officer – Dr Rosa Crnov (0439 384 382)

Deputy Chief Plant Health Officer – Dr Stephen Dibley (0455 088 152)

PLANTPLAN Representatives - Dr Rosa Crnov (0439 384 382) and Dr Stephen Dibley (0455 088 152)

Subcommittee on Market Access, Risk and Trade representative – Ms Lavinia Zirnsak (0427 824 076) and Dr Tong Chen (0459 866 117)

Subcommittee on Plant Health Diagnostics – Dr Fiona Constable (0407 723 086)

Subcommittee on National Plant Health Surveillance – Dr Tim Hurst (0408 857 100)

Plant Biosecurity Preparedness Working Group – Mrs Lana Russell (0429 552 493)

## 15. SUMMARY STATEMENT

Victoria, as a signatory to the EPPRD, is committed to a whole-of-government approach to maintain base level capability for threat identification, prevention and detection, capacity and infrastructure to efficiently and effectively respond and manage incursions of Emergency Plant Pests and meet its legal and operational obligations according to the requirements, processes and procedures outlined in the EPPRD and PLANTPLAN.

**15.5**

# Statement on Plant Biosecurity Policies and Programs – South Australia

August 2024

## 1. INTRODUCTION

The South Australian Government maintains and provides infrastructure and resources to prevent, detect, manage and respond to declared plant pests and diseases. The State has an emergency management framework that ensures an effective whole-of-government response to outbreaks of emergency plant pests that have evaded Australia's quarantine barrier or are newly emerged.

Biosecurity programs are underpinned by legislation that provides an appropriate range of specific and general legislative measures and powers to deal with prevention, monitoring, control and eradication of emergency/declared plant pests, and the management of declared plants.

The Government, through the Biosecurity Division within the Department of Primary Industries and Regions (PIRSA), has biosecurity policies, programs and procedures aimed at maintaining South Australia's freedom from pests that could adversely impact trade, market access, public health and food safety, the rural economy and the environment.

Plant biosecurity programs for emergency plant pests within South Australia are the responsibility of PIRSA's Biosecurity Division. This Division, through the Plant and Invasive Species Biosecurity Branch, is primarily responsible for developing and implementing plant biosecurity policy within the State, contribution to national plant biosecurity policy development, contributing to the national response processes against emergency plant pests and administrating the *Plant Health Act 2009*.

The Division's policies and operational activities aim to support a sustainable and internationally competitive South Australian plant and plant products industry and facilitating market access through minimising the impact of emergency plant pests.

Technical and scientific advice and diagnostic capability are provided by the South Australian Research and Development Institute (SARDI), another Division of PIRSA.

In South Australia*, the Landscape South Australia 2019* (Landscape Act) establishes the legislative framework for the management of the State's landscapes and their natural resources, including for the prevention or control of impacts caused by pest species of plants and vertebrate pests that may have an adverse impact on the environment, primary production or the community. The regional landscape boards have responsibility for the management of pest plants (weeds) and vertebrate pests declared under the Landscape Act within their regions and have the power to enforce control of declared species on private and public property. The Landscape Act establishes that owners of land are responsible for dealing with many of the declared plants and vertebrate pests on their land.

Within the Plant and Invasive Species Biosecurity Branch, the Invasive Species Unit coordinates state-wide programs in response to incursions and management of existing

declared plants and vertebrate pests to minimise their impacts on the environment, primary industries, and the community. The group guides and conducts research on control techniques, produces and promotes extension and awareness materials, develops and maintains state policies to support regulatory activities, contributes to national weed and vertebrate pest policy development and has input into the State Landscape Strategy, which outlines the policies and priorities for weed and vertebrate pest management in South Australia.

The Department for Environment and Water (DEW) is responsible for the administration of the *National Parks and Wildlife Act 1972* and supports the Minister and Landscape boards to administer the Landscape Act. DEW has a primary role in biodiversity conservation, environment policy and planning, and environmental sustainability.

DEW manages most of the State's public land – land held in the conservation reserve system, botanic gardens and as unalienated crown lands. It supports the administration of private land through the Landscape Act. DEW is a major custodian of information and knowledge about the State's environment; collating data collected from biological surveys of the vegetation of South Australia. Through the State Herbarium, DEW is the major provider of data, information and identification of plants, macrophytes, algae and fungi.

ForestrySA has responsibility for managing the State's plantation forestry in the Mount Lofty Ranges. It responds to emergency plant pests affecting these forests in conjunction with the Biosecurity Division. While ForestrySA has some involvement with forest biosecurity at the national level, PIRSA represents South Australia on any national forestry matters within the Council of Australian Governments (COAG) framework.

## 2. EMERGENCY PLANT PESTS, DISEASES AND WEEDS - PREVENTION AND SURVEILLANCE PROGRAMS

### Prevention

Fruit flies are key pests from a market access perspective. Prevention activities include quarantine stations at strategic border entry points, management of risk material from risk areas, signage and host produce disposal pits at other border entry points, early detection trapping, a fruit fly reporting and advisory hotline and the provision of an annual SA community awareness and public relations program.

The Metropolitan Adelaide and Greater Regions Fruit Fly Committee was established in 2002 to provide a forum for dialogue between the Biosecurity Division and key stakeholders on fruit fly activities across the State. The Committee includes representatives of PIRSA media and communications, the Biosecurity Division, the Commonwealth Department of Agriculture, Fisheries and Forestry, horticultural industries, local government and the community. The Riverland Fruit Fly Committee provides a similar forum for stakeholders within the Riverland Pest Free Area.

South Australia has established a network of signs and disposal bins for travellers entering the State and the Riverland production area, maintains permanent roadblock sites on four

key roads entering the State and also operates random roadblocks on other key entry points. The Biosecurity Division maintains signage and disposal bins at the State's interstate rail and bus terminals. All air-bridges at the Adelaide Airport are also signposted. South Australia has a zero-tolerance policy to introduction of fruit fly host material into the state.

Imports of horticultural produce into South Australia are subject to post border activities to minimise the potential for introduction of declared plant pests. The *Plant Health Act 2009* establishes biosecurity requirements for importers of plant and plant material which are risk based, as well as providing importers with a flexible and cost-effective system. All importers of plant and plant related products for commercial gain are required to be registered.

The former *Phylloxera Act 1899* established the Phylloxera and Grape Industry Board of South Australia, a statutory authority dedicated to the protection of vineyards from disease, particularly phylloxera. The Phylloxera Board – now trading as Vinehealth Australia ('Vinehealth') – has provided 120 years of unbroken service. This long dedication to biosecurity by South Australian grape-growers and industry leaders is a shining light of industry collaboration. The name change in 2015 was in recognition of the increasingly complex and rapidly evolving biosecurity landscape. Vinehealth cannot fulfil its mandate of protecting South Australian vineyards from pests and diseases without working collaboratively with other States and Territories across Australia.

Vinehealth administers the *Phylloxera and Grape Industry Act 1995*. A legislative requirement of the Act is for Vinehealth to maintain a register of persons who own vineyards comprising 0.5 hectares or more of planted vines. Under the Act, Vinehealth may require a registered person, a winemaker, or a distiller to pay a contribution towards the costs incurred, or to be incurred, by Vinehealth in carrying out its primary functions under this Act. The Act provides Vinehealth with the charter to address, in addition to phylloxera, other biosecurity threats faced by the wine and grape industries. Therefore, Vinehealth's core aim in South Australia is to drive biosecurity as a shared responsibility for the wine and grape industries, to ensure the State's vineyards are profitable and productive into the future.

Through Vinehealth, South Australian vineyard owners invest in biosecurity training and awareness, policy and procedures, research and development priority setting, and preparedness, prevention and response activities, to the benefit of the state and national wine industry.

SARDI has a memorandum of understanding with the University of Adelaide that establishes a Quarantine Manager position at the Waite Precinct. This officer oversees the operational needs of quarantine management for the Campus, acts as the day-to-day contact for all quarantine matters, and provides leadership and guidance on quarantine matters to the researchers to ensure coordination and legislative compliance of plant quarantine activities across the Precinct. Such activities relate to imported plant materials, restricted seed, soils and other biological materials.

Forestry SA has developed best practice guidelines for industry to minimise the risk of entry and spread of pests and diseases when obtaining forest planting stock for use within South Australia. Specific import requirements are prescribed under the *Plant Health Act 2009*.

Declared vertebrate pest and plant policies contain provisions prohibiting the entry to South Australia, and road transport within the state, of declared vertebrate pests, plants and their propagules. Awareness activities are delivered by staff from each of the eight landscape boards and Green Adelaide, and from PIRSA's Invasive Species Unit. This is supported by a list of Alert Weeds that are not yet established in South Australia, but have been assessed as presenting an elevated risk of establishment and subsequent impact.

**Surveillance Programs**

Early detection is essential to ensure that the impacts of outbreaks of emergency plant pests and pest plants (weeds) are minimised.

The Biosecurity Division maintains a significant fruit fly monitoring program across the State. Queensland fruit fly and Mediterranean fruit fly are considered as key pests of concern for market access both nationally and internationally. Fruit fly trapping grids are maintained in the Riverland, the Northern Adelaide Plains and Mount Lofty Ranges production areas, metropolitan Adelaide, the Iron Triangle (Pt Augusta), Pt Lincoln, and Ceduna. The current monitoring program includes traps that are capable of detecting a range of exotic fruit fly species.

PIRSA cooperates with the Commonwealth (through the Office of the Chief Plant Protection Officer) as part of the National Plant Health Surveillance Program (NPHSP).

PIRSA maintains capacity to monitor and respond to locust activity across key parts of the State and contributes financially to the Australian Plague Locust Commission (APLC). The APLC is a small rapid response organisation dedicated to locust surveillance, forecasting, control and research. Detections of significant locust activity by APLC will trigger the State's Control Plan.

SARDI provides diagnostic services for plant diseases and pests to clients on a fee for service basis. SARDI maintains an extensive arthropod and nematode reference collection. Strong links exist between the SARDI diagnostic teams (Plant Biosecurity and Entomology) and the Biosecurity Division to ensure timely reporting and identification of suspect emergency plant pests and diseases. SARDI is undertaking research on new tools and technologies for cost-effective surveillance.

Forestry SA conducts annual forest health surveys of the government plantation estate with aerial surveillance and follow-up ground inspection of suspect areas.

DEW regional staff, in particular from the eight landscape boards, are responsible for surveillance, monitoring and enforcement in relation to declared plants and vertebrate pests, with support and advice from the Invasive Species Unit within PIRSA. This is implemented through passive surveillance, with active surveillance programs as deemed necessary.

## 3. EMERGENCY PLANT PESTS, DISEASES AND WEEDS - PREPAREDNESS AND RESPONSE PROGRAMS

The Biosecurity Division provides capability for both the management and operational response to detections of emergency plant pests within the State. The emergency response capability has been enhanced, in accordance with Schedule 7 of the Intergovernmental Agreement on Biosecurity (IGAB), through the establishment and maintenance of a Biosecurity First Response roster. This roster has been established to lead and manage biosecurity emergency responses.

The Biosecurity Division also contributes to the national preparedness and response processes via Plant Health Committee (PHC), the Consultative Committee on Emergency Plant Pests (CCEPP), and the Sub-committee on Market Access, Risk and Trade (SMART), the Sub-Committee on National Plant Health Surveillance (SNPHS) and the Subcommittee on Plant Health Diagnostics (SPHD). The PIRSA Chief Executive is a member of the National Management Group (NMG), the decision-making body under the Emergency Plant Pest Response Deed.

The Biosecurity Division is involved in the Plant Health Australia National Biosecurity Planning processes, pest categorisation and other Deed issue groups.

The Biosecurity Division is also a participant in the National Grains Biosecurity Initiative, coordinated by Plant Health Australia.

PIRSA further contributes to the national program through membership on Plant Health Australia, the National Biosecurity Committee (NBC) and the Agricultural Senior Officials Committee (AGSOC).

The Emergency Plant Pest Response Deed (EPPRD) and PLANTPLAN provide the basis of an agreed response process following the detection of an Emergency Plant Pest (EPP) or a suspect EPP within the State.

The Biosecurity Division's Emergency Management Unit maintains emergency response plans for plant health in line with the national EPPRD requirements and PLANTPLAN. These plans are reviewed and updated as necessary. A range of training activities, both of a general and a specific nature, are provided for key potential respondents within the State including industry personnel.

South Australia has built a fit for purpose Sterile Insect Technology (SIT) facility in Port Augusta to produce sterile Queensland Fruit Fly (Q-fly) which supports emergency eradication responses for the pest if required.

SARDI provides a high level technical and scientific capability in the areas of horticultural and field crop pathology and entomology. This capability provides advice, diagnostic support and diagnostic test development e.g. DNA based tests, as well as a unique high throughput testing capability for soil.

SARDI provides scientific input into international (International Plant Protection Convention) and national (Plant Health Australia, Biosecurity Australia) policies and plans, including industry Biosecurity Plans, Import Risk Assessments, Risk analysis for release of Biological Control Agents, Disease and Pest Threat Categorisations, the EPPRD and PLANTPLAN.

SARDI provides input as needed on Consultative Committees on Emergency Plant Pests, including the associated Scientific Advisory Panels.

SARDI holds the South Australian plant pest databases. These records contribute to the national contingency planning process and underpin scientific advice for phytosanitary certification for market access.

SARDI also provides training, on a needs basis, for survey and response personnel.

The Invasive Species Unit in the Biosecurity Division works closely with the landscape boards and DEW to manage declared plants and vertebrate pests across the State. The Landscape Act empowers the Minister for Environment and Water to declare vertebrate pests and plants (agricultural and environmental weeds) under sections of the Act which prohibit sale, road transport or entry to SA; allow for enforced control or destruction; and/or require notification of infestations. Each declared plant has a state-level policy adopted by the Minister aligning with regional management plans adopted by each landscape board.

The Invasive Species Unit provides advice to DEW officers on identification and management of declared weeds, works with the State Herbarium to monitor incursions and the distribution of weedy plants and forwards reports of notifiable weed infestations.

The Invasive Species Unit (and DEW) also provides state representation on the national Environment and Invasives Committee (EIC).

The main forest health group in SA is the Forest Research and Health Subcommittee of the Green Triangle Regional Plantations Committee (GTRPC).

## 4. LEGISLATION

The *Plant Health Act 2009* enables the State to rapidly respond to the detection of emergency plant pests. Key elements of the Act necessary to minimise the risk of the spread of declared plant pests include provision for the appointment of inspectors and for powers of entry, inspection, movement control, treatment application, emergency actions, the declaration of plant pests or diseases to be “pests” under the Act, the establishment of quarantine areas, and the adoption of codes and standards.

The legislation also allows for the establishment of an import verification compliance system that is designed to ensure compliance with national emergency plant pest response requirements.

The *Landscape South Australia Act 2019* provides the legal framework for implementation of the Government’s declared plant and vertebrate pest management policies.

The *Agricultural and Veterinary Products (Control of Use) Act 2002* constrains the use of chemical treatments to those approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA) through registration or permit approval. Such approvals are based on consideration of risks to public health, occupational health and safety, food safety, the environment and trade.

## 5. ENVIRONMENTAL

The impact of declared plants and vertebrate pests on the environment is managed by eight regional landscape boards. These Boards are established under *Landscape South Australia Act 2019*.

The requirement for planning approval under the *Development Act 1993,* where establishment of a new crop represents a change in land use, may be used to control the location of olive groves and other crops that are considered to have weed potential.

## 6. CONTACTS

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**15.6**

# GOVERNMENT OF TASMANIA'S STATEMENT ON BIOSECURITY POLICIES AND PROGRAMS FOR TASMANIA IN RESPECT OF EMERGENCY PLANT PEST RESPONSES

Prepared by the Department of Natural Resources and Environment Tasmania [1], in accordance with the *Government and Plant Industry Emergency Plant Pest Response Deed*

**July 2023**

[1] Previously known as the Department of Primary Industries, Water, and Environment (Tasmania)

## GOVERNMENT OF TASMANIA'S STATEMENT ON BIOSECURITY POLICIES AND PROGRAMS FOR TASMANIA IN RESPECT OF EMERGENCY PLANT PEST RESPONSES

This statement of plant biosecurity policy and programs is provided in accordance with Schedule 15 of the Government and Plant Industry Cost Sharing Deed in Respect of Emergency Plant Pest Responses.

# 1. INTRODUCTION

The Tasmanian Government through the Department of Natural Resources and Environment Tasmania (NRET), has biosecurity policies, legislation, procedures and programs aimed at protecting the State's favourable biosecurity status. The strategic framework for all government biosecurity actions and decision-making processes is outlined in the Tasmanian Biosecurity Policy and the Tasmanian Biosecurity Strategy, which details policy implementation actions (http://www.nre.tas.gov.au/biosecurity). The Strategy was publicly released for the first time by the Minister for Primary Industries and Water in February 2007 and was subsequently updated and re-released in March 2013. It is currently being reviewed by the Biosecurity Advisory Committee as an action under the *Biosecurity Act 2019*.

The Tasmanian Government's biosecurity policy objective is to "protect and enhance Tasmania's biosecurity status for the benefit of Tasmania's industries, environment and public well-being, health, amenity, and safety". To achieve the policy objective the Tasmanian government has in place a system of pre-border requirements, border security via biosecurity operations, along with surveillance and response mechanisms for exotic pest, disease and weed incursions. Post-border initiatives, including the development of appropriate response plans for incursions, formal processes to address biosecurity communications with the Australian government and the community, and the facilitation of scientifically sound biosecurity policy, are all important to the Tasmanian Government. Each of these activities is underpinned by science and evidence-based risk analysis, is consistent with domestic and international trade and other obligations, and promotes biosecurity as delivered by partnerships recognising shared responsibility.

Biosecurity matters of significance to Tasmania are the primary responsibility of Biosecurity Tasmania that operates as a Strategic Business Unit within NRET. Biosecurity Tasmania has responsibility for broad policy directions in relation to biosecurity. It undertakes this work on behalf of the Tasmanian Government.

The Tasmanian Government is responsible for infrastructure resources to prevent, detect, respond to, and manage serious plant pests and diseases[2]. Tasmania's biosecurity

[2] The Deed defines "plant pests" to include any species, biotype or strain of invertebrate pest or pathogen injurious to plants or plant health if it is discrete, identifiable and genetically stable, but excludes Genetically Modified Organisms. The Tasmanian legislation refers to plant pests and diseases separately. The plant pests listed under the *Biosecurity Act 2019* include invertebrate pests, but also includes many species of plants. In this document the terminology "plant pests and

emergency preparedness system is generic and has been developed to address animal health emergencies, plant pest and disease biosecurity emergencies, and threats to the environment. Key NRET personnel are trained to ensure that, if there is a plant biosecurity emergency in Tasmania, a response can be implemented.

By implementing specific biosecurity policy, Tasmania has capitalised on its island status to manage the risk of entry of plant pests and diseases. As an island, the natural movement of plant pests and diseases into the State is limited. The limited number of commercial ports helps ensure that entry of product that may carry plant pests and diseases can be monitored and supervised. In recent years, tourism has increased substantially increasing ferry services and air travel into the State, thereby increasing the importance of biosecurity measures at ports of entry.

Plant biosecurity in Tasmania is underpinned by several pieces of legislation[3] that has been shown to provide an appropriate range of specific and general legislative functions and powers to deal with prevention, monitoring, eradication and control of plant pests and diseases. Late in 2019, new biosecurity legislation was proclaimed (*Biosecurity Act 2019*) that has replaced several pieces of older biosecurity legislation in Tasmania. The *Plant Quarantine Act 1997* was repealed during 2022 and the regulatory aspects of plant biosecurity in Tasmania are now fully managed under the *Biosecurity Act 2019*. This legislation provides several enhancements that enables an ongoing commitment by the Tasmanian Government to the Deed and to biosecurity emergency preparedness.

Biosecurity Tasmania manages biosecurity programs for plant pests and diseases. Branches within this Unit are responsible for facilitating the development and implementation of policies on barrier control, emergency plant pest and disease preparedness and response planning, and pest and disease control and communications. Biosecurity decision making processes are governed in part by the State's import risk analysis framework[4] that aligns with State policy, national and international requirements. Beneath this framework is a set of documented procedures and methodologies used by plant biosecurity risk analysts in the Tasmanian Government. Biosecurity Tasmania also manages diagnostic services for pests, diseases, and weeds. It also manages weed incursions.

The Natural and Cultural Heritage Business Unit in NRET oversee the Tasmanian Threatened Species Strategy. Weeds, pests and diseases are identified as major threats to native flora and fauna in the Strategy, which promotes the development and implementation of threat abatement plans to address key threatening processes.

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diseases" will be used, consistent with the Tasmanian legislation. Those species of plants that are listed as pests under Tasmanian legislation but would not fit the definition of a plant pest under the Deed, will be referred to as weeds to avoid confusion.

[3] Tasmanian legislation specified in this document can be accessed on the web at: www.thelaw.tas.gov.au.

[4] DPIPWE (2010) *Import Risk Analysis: A Framework of Context, Concepts, Methods, and Administrative Procedures.* ISBN-978-0-7246-6523-5

# 2. LEGISLATIVE INSTRUMENTS

There are several legislative instruments relevant to plant pest and disease biosecurity that currently operate in Tasmania [5]. The primary legislation is the *Biosecurity Act 2019.*

**2.1 *Biosecurity Act 2019***

The Act provides Tasmania an effective legal framework for the management of pests, diseases and invasive species, imports of plant and animal products, biosecurity emergencies, and monetary reimbursement for biosecurity related loss. The Act seeks to represent modern biosecurity laws capable of progressing the Tasmanian Biosecurity Strategy, whilst minimising red tape for business and the general community. An important element of the *Biosecurity Act 2019* is the establishment of a Biosecurity Advisory Committee. The Committee provides advice to the Tasmanian Government and Minister for Primary Industries and Water on biosecurity in Tasmania and will help guide Government strategies and policy for biosecurity matters. Another important addition is the legalising of a General Biosecurity Duty (GBD) that provides a legal responsibility on everyone to manage biosecurity risks in Tasmania. Also, under this Act the position of Chief Plant Protection Officer (Tasmania) is given full statutory powers. This is the first time this position has been made a statutory one and is reflective of the Tasmanian Government's recognition of the importance of plant biosecurity to the State.

**2. 2 *Threatened Species Protection Act 1995***

The *Threatened Species Protection Act 1995* is the primary legislation used for declaring native flora and fauna in Tasmania in the interests of protecting it from threatening processes including weeds, pests, and diseases. The legislation is implemented via the development and implementation of threaten species recovery plans and threat abatement plans.

# 3. PLANT PEST PREVENTION AND SURVEILLANCE PROGRAMS

Biosecurity Tasmania implements several policies and programs that are primarily aimed at reducing the risk of incursions of plant pests and diseases, including programs of border control, prevention of high-risk activities, and plant pest and disease surveillance.

**3.1 Biosecurity Operations**

The Biosecurity Operations Branch is responsible, amongst other things, for the quarantine border controls at the points of entry into the State. It includes the clearance of passengers, cargo, mail, plants/plant products, and animals/animal products, aircraft and ship waste. These clearance and inspection activities are supported using detector dogs at various points of entry, including mail centres, throughout the State. Inspection and surveillance are undertaken at the border to ensure compliance with legislation such as the *Biosecurity Act 2019*, *Plant Quarantine Act 1997, Animal Health Act 1995, Inland Fisheries Act 1996, Genetically Modified Organisms Control Act 2004* and *Nature Conservation Act 1997*. The Biosecurity Operations Branch also delivers limited Department of Agriculture, Fisheries, and

[5] At the time of preparing this statement, the *Biosecurity Act 2019* is transitioning to replace existing legislation. This is expected to be completed by 1 January 2023.

Forestry programs in addition to the State based services. Biosecurity Operations also undertake a range of duties on behalf of the Australian Antarctic Division to ensure that no non-native biota or diseases are introduced to the Antarctic and sub-Antarctic Islands because of the Australian Antarctic Program.

### 3.2 Surveillance Programs [6]

Early detection is essential to ensure that the impact of any plant pest or disease incursion is minimised. Plant pest and disease surveillance programs are delivered by Biosecurity Tasmania. Under area freedom/market access, several post barrier pest and disease surveys are undertaken. These surveys provide technical data for international market access applications, contribute to maintaining established markets, and provide data that supports the State's biosecurity legislation.

There is a range of pest and disease surveys conducted in Tasmania at various times throughout the year for legislative and market access requirements. The fruit fly surveillance program, for example, uses a network of fruit fly traps distributed throughout the state that are inspected weekly during spring, summer, autumn, and fortnightly during winter.

Tasmania also undertakes additional surveillance activities under the National Plant Health Surveillance Program, including trapping for Spongy moth at ports.

### 3.3 Pest Diagnosis and Control

Crop protection activities are undertaken throughout plant industries in Tasmania. Agronomic advice on the management of plant pests and diseases is provided primarily by Biosecurity Tasmania entomologists and plant pathologists, the private sector and the Tasmanian Institute of Agriculture (TIA), the latter which is a joint venture between NRET and the University of Tasmania. TIA and the private sector also provide research and development support. Many government programs are developed in conjunction with industry. These include the development and extension of farm biosecurity codes of practice (e.g., codes of practice for agricultural contractors), and the management of emerging crop industries.

Plant biosecurity diagnostic services are provided through Plant Diagnostic Services located within the Plant Biosecurity and Diagnostics Branch as part of Biosecurity Tasmania. The TasAg ELISA and Pathogen Testing Service is a NATA accredited laboratory based at New Town and provides a service principally in virus detection and identification. The plant pathology laboratory provides diagnostic and control advice for plant diseases in all areas of agriculture, horticulture and biosecurity situations and addresses household and home garden inquiries on either a cost recovery basis or at no charge. An expanding molecular diagnostics service and capacity is also present in the laboratories providing a range of molecular service for plant industries and the biosecurity system. Invertebrate pest identification services are provided by entomologists based in laboratories in Hobart and Launceston. The Tasmanian Plant Diagnostic Services has been the subject of a re-development program to ensure all facilities meet national and international expectations

[6] At time of writing, Biosecurity Tasmania is finalising a State strategy for Plant Biosecurity Surveillance.

and underpin levels of capability outlined in the Tasmanian Biosecurity Strategy and the EPPRD. This development (Phase 1) has been finalised. A Government proposal to centralise laboratory facilities in the north of the State is currently being progressed but this is expected to take several years.

**3.4 Communications**

Communication programs are an essential component of Tasmania's Biosecurity Strategy. The communication program contributes to prevention by raising awareness of biosecurity amongst both visitors and residents. Biosecurity communications is a Divisional-wide activity with all Biosecurity Tasmania branches contributing to the development and delivery of communications materials. Tasmanian biosecurity communications are designed, amongst other things, to enhance people's understanding of the importance of biosecurity and Australia's international obligations in relation to World Trade Organisation (WTO) treaties and agreements. In particular, the need to base biosecurity policy development on science is highlighted through these communication activities.

Biosecurity Tasmania operates a biosecurity stakeholder register that any stakeholder can register with via the internet. There are approximately 1000 stakeholders on the advisory database and many organisations on-send the information to their members through their newsletters etc. This provides direct contact with stakeholders for provision of advice on anything of a biosecurity nature. This network has been used previously to inform stakeholders during both plant and animal biosecurity emergencies in Tasmania.

Displays and distribution of quarantine information occurs through several avenues including regional agricultural shows and exhibitions. This program is coordinated and delivered by a stakeholder engagement officer and a biosecurity communications officer. There is also one position dedicated to plant biosecurity communications.

# 4. PLANT PEST PREPAREDNESS AND RESPONSE PROGRAMS IN TASMANIA

Tasmania's emergency management legislation, the *Emergency Management Act 2006*, provides a framework for a whole-of-government approach to prevention, preparedness, response and recovery. The *Biosecurity Act 2019* provides a broad range of specific and general measures and powers to deal with the prevention, monitoring and eradication of both endemic and emergency plant pests and diseases.

The Tasmanian Government maintains a capability to manage biosecurity emergencies through NRET, which is identified in the Tasmanian Emergency Management Plan as the management authority for biosecurity emergencies including plant pest and disease emergency responses. NRET has an on-going effort to build capability for response to animal diseases, plant pests and diseases, and environmental pests that potentially threaten Tasmania's biosecurity. Preparedness efforts centre on developing and maintaining generic emergency management capability that can be applied to any type of biosecurity emergency with the intention that the relevant specialists will be integrated into response management processes as appropriate.

Tasmania is developing capability in this area with some elements in place. For example, Tasmania's preparedness arrangements include enabling legislation, plant biosecurity diagnostic facilities, high level biosecurity expertise, and a State Special Emergency Management Plan for Biosecurity Emergencies

## 5. ENVIRONMENTAL POLICY

While originally developed with an emphasis on the production sector, biosecurity programs in Tasmania apply to the natural environment as well. The State definition of biosecurity explicitly includes the environment within the scope of biosecurity activities. Regional Natural Resource Management (NRM) bodies in the State are also addressing biosecurity issues in relation to both the natural environment and sustainable agricultural production, via strategic planning.

## 6. PUBLIC HEALTH

Agricultural and horticultural production in Tasmania is regulated by several legislative instruments that govern how food is produced. These include the *Agricultural and Veterinary Chemicals Act 1994*, and the *Primary Produce Safety Act 2011.* The past few years have seen a progressive uptake of formal quality assurance programs in both the production and processing sectors. These programs are based on market driven self-regulation and are subject to regular external audit. Many of the programs incorporate Hazard Analysis Critical Control Point (HACCP) systems. Auditing processes are generally undertaken by private providers, with some government financial support. In terms of plant products, most of the production volume is processed or packed as fresh produce and sold domestically or exported.

## 7. Summary

Tasmania, as a signatory to the Emergency Plant Pest Response Deed, is striving to maintain capability for plant biosecurity. This includes threat identification, prevention and detection, and capacity and infrastructure to respond to and manage incursions of Emergency Plant Pests efficiently and effectively. This response is according to the legal and operational requirements outlined in the Emergency Plant Pest Response Deed and PlantPlan.

NRET Biosecurity Tasmania
July 2023

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Department of
Primary Industries and
Regional Development

GOVERNMENT OF
WESTERN AUSTRALIA

We're working for Western Australia.

# WESTERN AUSTRALIAN GOVERNMENT STATEMENT ON PLANT BIOSECURITY POLICIES AND PROGRAMS FOR THE EMERGENCY PLANT PEST RESPONSE DEED – Aug 2022

## Department of Primary Industries and Regional Development

## INTRODUCTION

This Biosecurity Statement sets out Western Australia's (WA) commitment to risk mitigation measures and preparedness activities related to plant biosecurity.

WA is free of many pests, diseases and weeds that are present in other parts of Australia and the world. Our geographical isolation and a robust biosecurity system, including border quarantine checkpoints, domestic and intrastate regulatory controls, industry and public awareness campaigns and surveillance programs, all help maintain this freedom. For these reasons, WA's agricultural products are recognised to be safe and high-quality. Our biosecurity status, which we are determined to protect and maintain, confers significant competitive advantage and value proposition in interstate and overseas markets.

Our management approach to biosecurity is consistent with that adopted nationally for Australia's quarantine and biosecurity services, which emphasises the broad concept of a 'biosecurity continuum'. Pre-border and border activities include risk assessment, quality assurance, establishing conditions of entry, pre-clearance checks, verification and inspection, and compliance. Post-border activities include surveillance, monitoring, risk assessment, emergency preparedness and incident response.

WA's plant biosecurity system supports Australia's overseas trade obligations and adopts Australia's Appropriate Level of Protection (ALOP) policy. Biosecurity protection under ALOP is 'a high or very conservative level of protection aimed at reducing risk to very low levels, while not based on a zero-risk approach'.

WA is a signatory to the national Intergovernmental Agreement on Biosecurity (IGAB) which creates a consistent approach to biosecurity amongst all Australian jurisdictions. IGAB creates a nexus between biosecurity management in WA and Australia's international commitment as signatory to the Agreement on the Application

of Sanitary and Phytosanitary Measures (SPS Agreement), which includes the International Standards for Phytosanitary Measures (ISPM). Bee pests and diseases are classified as plant biosecurity and managed to be consistent with the World Organisation for Animal Health's provisions in the Terrestrial Animal Health Code, through IGAB.

Our plant biosecurity system relies on active participation from government, industry and community groups, who all contribute to plant biosecurity management in the State.

## LEGISLATION

The primary legislation that underpins biosecurity in WA and which is used to implement the IGAB and the SPS Agreement is *the Biosecurity and Agriculture Management Act 2007* (BAM Act) and its associated regulations.

The objects of the Act are to provide effective biosecurity and agriculture management for the State by providing the means to control the entry, establishment, spread and impact of organisms having an adverse effect on other organisms, human beings, the environment, agricultural activities or related commercial activities.

The Minister of Agriculture and Food (Minister) is the responsible minister, and the Act is administered in the Department of Primary Industries and Regional Development (DPIRD or Department).

The Act provides for the establishment of the Biosecurity Council of WA, a specialist advisory group to the Minister and the Director General of DPIRD on any matter related to biosecurity, including: the requirements of a comprehensive and effective biosecurity system for WA, necessary linkages to other biosecurity systems, and significant gaps in, or improvements required to, the system.

## BIOSECURITY MANAGEMENT STRUCTURE

Within DPIRD, plant biosecurity functions are undertaken by the Biosecurity Directorate within the Biosecurity and Sustainability Pillar.

The Biosecurity Directorate leads our plant, animal and aquatic biosecurity programs to protect WA from the incursion of exotic pests, diseases and weeds, while managing pests and diseases of significance that threaten the agricultural and aquatic environment, social amenity and access to markets for WA industries.

The Directorate encompasses our incident and emergency management capability function, which is critical for biosecurity incident response under the Emergency Plant Pest Response Deed (EPPRD), and it represents the Department at a state and national level in an emergency response.

The Directorate is structured to enable comprehensive risk mitigation measures and preparedness activities for plant biosecurity. To this end, the Directorate's branches undertake programs to address WA's biosecurity objectives.

The Plant Biosecurity branch is the principal part of the Department for plant biosecurity matters. The branch safeguards WA's plant resources and industries from exotic and regional plant pests and diseases that threaten productivity and market access. When an Emergency Plant Pest (EPP) is detected or suspected to be in the State, the Incident and Emergency Management (IEM) branch takes a leading role, and the branches work closely with the DPIRD Diagnostics and Laboratory Service (DDLS).

At the border, Quarantine Western Australia (QWA) plays a crucial role in managing interstate border biosecurity, and the Pest and Disease Information Service (PaDIS) and MyPestGuide® provide a simple way for the general public and industry to inform the Department about pest and disease detections that may be of biosecurity concern.

Other branches in the Directorate that may also contribute to plant biosecurity in WA are the Invasive Species and Environment Biosecurity (ISEB) and Biosecurity Governance, Strategy and Performance (BGSP) branches.

**MARKET ACCESS**

Under the BAM Act, the declared status of an organism as a prohibited organism, declared pest or a permitted organism, or its unlisted status, determines whether it may be imported into WA from another Australian jurisdiction. The status of organisms is published online in the Western Australian Organisms List (WAOL).

The Act provides the means to control the entry of prescribed potential carriers of quarantine pests and diseases, and to determine import requirements. Import requirements are determined in accordance with ISPM and based on ALOP. The import of a prescribed potential carrier is usually permitted if the carrier is treated in accordance with, or otherwise satisfies, the import requirements.

WA recognises that a Plant Health Assurance Certificate or Plant Health Certificate issued by the biosecurity authority in the exporting jurisdiction can be used to demonstrate that a consignment meets a WA import requirement. WA also recognises imported consignments certified under third party assurance schemes, such as the Biosecure HACCP program administered by Greenlife Industries Australia.

WA participates in the national Interstate Certification Assurance (ICA) Scheme for export and import of plant products, whereby businesses are accredited to issue Plant Health Assurance Certificates for their produce. For the export of plant

products from WA, the Department undertakes management of the scheme and audits businesses for compliance.

Where an area is confirmed free from a specified pest or disease, the Chief Plant Biosecurity Officer issues area freedom certificates under national and internationally agreed policy, to facilitate interstate export of plants and plant products.

## BORDER PROTECTION

WA is geographically isolated from the rest of Australia by a desert barrier, which protects the State from the natural introduction of many pests. At the border, QWA undertakes programs to further minimise the likelihood of entry of quarantine plant pests and diseases through the operation of effective quarantine surveillance measures consistent with our national and international obligations. QWA also facilitates the safe interstate trade in plants and plant products through the provision of verification, inspection and certification services.

QWA provides import and export inspection services under both WA and other Australian jurisdictions' legislation. Inspections are carried out on plants, plant products and other potential carriers such as fresh fruit and vegetables, flowers, seeds, honey, vehicles and machinery imported into and exported from WA. QWA undertakes surveillance programs, including the use of detector dogs, to detect potential carriers of biosecurity risk material at border checkpoints, airports, freight depots, post offices and other entry ports.

## SURVEILLANCE

Early detection of new quarantine pests and diseases before they become widely established increases the likelihood and technical feasibility of successful eradication or containment. Plant pest surveillance activities support market access by providing technical evidence-based information in accordance with national and international phytosanitary agreements and policy. Surveillance program design is supported by epidemiology, data management, analysis and modelling activities, and data from surveillance activities underpins WA's and Australia's pest free status claims for high priority pests and diseases.

DPIRD conducts post-border surveillance programs for specific pests and diseases, as well as broad general surveillance activities: WA participates in the National Plant Health Surveillance Program through surveillance programs such as Biosecurity Blitz, Ant Blitz, MyCrop e-surveillance, and MyPestGuide e-surveillance. Sector specific surveillance programs include the Grains Farm Biosecurity Program targeting grain pests, multi pest surveillance in pome fruit, the National Bee Pest Surveillance Program, and seed potato schemes. Specific surveillance is undertaken for brown marmorated stink bug, Khapra beetle, Queensland fruit fly, Asian gypsy moth, Mediterranean fruit fly, and other pests and diseases.

## SCIENTIFIC AND RESEARCH CAPABILITY

DPIRD employs highly qualified scientists to provide advice for plant biosecurity risk analysis, plant pathology, entomology and epidemiology.

Our scientists undertake pest risk assessments and make recommendations for the legal status of plant pest organisms in WA. Their work is used to support market access and policy, to scientifically evaluate claims of pest freedom and official control, to inform the assessment of applications for import permits, and in the development of Interstate Certification Agreements.

The Department's science and research programs support surveillance, suppression or eradication of plant pests. We also undertake critical research on insects of economic importance such as Mediterranean fruit fly, to support trade in high-value WA plant products.

## AWARENESS AND REPORTING

DPIRD works with the public and industry to facilitate the early detection of exotic pests and diseases. Biosecurity concerns are communicated through the Department's website, media, industry events, agricultural shows, garden shows, sector specific Biosecurity Advisory Committees for horticulture and grains (Horticulture Biosecurity Advisory Committee and Grains Biosecurity Advisory Committee), and through a range of other extension opportunities.

DPIRD facilitates the citizen-science surveillance programs Biosecurity Blitz and Ant Blitz and provides opportunities for the public to report suspicious pests and diseases. MyPestGuide® Reporter allows industry, the community and government to identify and report the presence of exotic pests and diseases. MyPestGuide® is in the process of being adopted nationally as the preferred reporting tool for plant biosecurity. The Exotic Plant Pest Hotline: 1800 084 881 receives calls from the public suspecting exotic pests, and the Pest and Disease Information Service (PaDIS) program responds to approximately 4000 public plant pest and disease related enquiries annually.

## INFORMATION MANAGEMENT

DPIRD uses data and data systems in plant biosecurity activities to inform and support risk-based import requirements, pest and disease surveillance programs, incident management, compliance, and to support market access and area freedom claims. Data is used in risk-based models to determine which pests and diseases should be prohibited, declared as a pest, or permitted into WA.

Data is collected and collated into reports to inform incidents about the extent of infestations, and if treatments are effective. WA provides data to the national AUSPestCheck system to collect, analyse and display pest surveillance data.

The data systems that support incident responses, biosecurity research, surveys and sampling are:

- MAX: A case management system for emergency incidents that collates surveillance data. An incident MAX collates data for proof of area freedom, and the system is used for general grain surveillance.
- TrapBase: An insect trap run management system used to record collect and collate data on pests, lures and traps into reports.
- Plant Pathogen Information database (PPID): Collection of information on plant pathogens underpinning pest status determinations and import risk assessments.
- Objective: a document management system used to store documents, reports and entomological data.
- MyPestGuide®: for public reporting of pests and diseases, discussed above.

In the administration of the BAM Act, the Permits and Notices (PRNO) system records permits, approvals, notices and directions.

Market access is supported by:

- WAOL: a public facing database of organism names and legal status under the BAM Act; and
- QWA Import Requirement Search: a public facing database for WA import requirements

**INCIDENT RESPONSE AND EMERGENCY PREPAREDNESS**

The IEM branch is responsible for DPIRD-wide preparedness and capability for emergency responses and incident management, including under the EPPRD. If there is a biosecurity incident, IEM undertakes activities, such as:

- facilitation of response governance;
- incident control, coordination and logistics management;
- formation of first response teams from across the Department, including finance, human resources, information systems, occupational health and safety, communications and record keeping;
- incident response performance monitoring;
- relationship management within DPIRD and with State and National agencies;
- incident and emergency management systems support;

- mentoring and support of business-based incident controllers and IMT members; and
- community and stakeholder engagement and communications.

## DIAGNOSTIC CAPABILITY

Diagnostic capacity and capability is provided by DDLS, located in Perth. DDLS' activities include:

- detection and identification of notifiable plant pests and diseases;
- pest and disease exclusion diagnostic testing for market access and food safety, including for proof of area freedom and certification;
- new test development and accreditation;
- maintaining necessary facility accreditations;
- provision of advice on surveillance regimes and protocols;
- provision of a front-line biosecurity triage service for PaDIS; and
- community and stakeholder engagement and communications.

15.8

# Statement on Plant Biosecurity Policies and Programs for the Emergency Plant Pest Response Deed

## Northern Territory Department of Industry, Trade and Tourism

July 2022

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# 1. Overview

The Northern Territory Government (NTG), through the Department of Industry, Trade and Tourism (DITT), has a range of policies, procedures and programs in place which guide day to day work activities to aide growers in market access and trade, the economy and the environment. Central to all activities is the protection and promotion of plant industries to facilitate, support and ensure access to markets for trade.

Plant biosecurity programs for pests and diseases are managed by the Plant Biosecurity Unit (PBU) within the Biosecurity and Animal Welfare Branch of the Department. The PBU is responsible for the development of biosecurity policies and legislation related to plants and bees, including the delivery of systems, standards and services to Northern Territory's horticultural sector to ensure the protection of the natural and build environment.

In the Northern Territory (NT) and across Australia, the plant industries and the environment are protected through a continuum focussed on pre-border, border and post- border activities. At each stage of the continuum, success is dependent on a partnership between governments, industry and the community.

At the state/territory borders, reduced carriage of pests relies on creating a public conscience about the detrimental impact of plant pests, regulated inspection and by certification to gain market access for commercial shipments of pest-free plant products.

Post-border efforts are targeted at the early detection and effective response to pest threats, whether foreign or endemic. National and territory response systems and plans for plant pest and disease incursions are in place and regularly utilised to combat outbreaks.

In the NT, the PBU has adopted a risk based approach to plant pest and disease management when it comes to planning, surveillance and resources. Given the unique climatic, environmental, and demographic conditions of the NT, it is important that the Territory identifies its key biosecurity risks so the community may respond appropriately and effectively. A risk framework supports this approach.

# 2. Scope

This statement by the Northern Territory Government for Schedule 15 of the Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses, outlines the Northern Territory's acknowledgement of, and commitment to, risk mitigation measures and preparedness activities related to plant biosecurity.

A statement is required, under clause 13.1.4 of the Deed, to report in July of each year any material changes to the content of, or to its commitment to its Biosecurity Statement. It must also advise of any reduction in its resources available for its implementation of this commitment and identify any legislative obstacles to the

operation of an industry's biosecurity measures.

# 3. Strategy

As a signatory to the Intergovernmental Agreement on Biosecurity, the Northern Territory Government is committed to the national approach to biosecurity. The Northern Territory Biosecurity Strategy 2016- 2026 sets out a plan of action that is tied to that commitment.

The Strategy focuses on building strong partnerships, implementing effective legislation, risk-based planning, conducting targeted surveillance and border protection, developing sophisticated response capability, and improving governance networks informed by science and strategic risk assessment.

# 4. Policies and legislation

## 4.1 Policies

In the NT, biosecurity events have reinforced the need for strong border and post-border strategies. The rapid movement of travellers and cargo presents a constant challenge to maintain the NT's freedom from major emergency plant pests and diseases that could severely damage our primary industries and the environment.

The Plant Biosecurity Branch (PBB) is responsible for developing biosecurity policies, in conjunction with other internal government agencies and within the national biosecurity framework. This will support the Branch's approach to preparedness, response, and recovery functions, as well as ensuring a cooperative and consultative approach is implemented in partnership with industry.

## 4.2 Legislation

In recent years, the Department has focused on updating, modernising and harmonising legislation in line with corresponding laws, both federally and interstate. Some of these reviews are still being finalised.

The Biosecurity legislation for the NT can be found at: https://legislation.nt.gov.au/

### 4.2.1 Plant Health Act 2008

The activities within this document fall within the Northern Territory *Plant Health Act 2008* and related subordinate legislation.

Plant biosecurity programs in NT are underpinned by the *Plant Health Act 2008* and *Plant Health Regulations 2011*, they allow authorised officers under the Act to ensure appropriate actions can be taken for the control of plant pests, and to facilitate the production and trading of plants and plant products that are free from pests.

In practice, the Act provides a broad range of powers to address biosecurity risks. It provides the legislative backing for border security programs, which control the

importation of plant materials, used packages and agricultural machinery and soil that may host pests and diseases.

More specific regulatory requirements are detailed in the *Plant Health Regulations 2011* for specific pests and diseases of concern; however the *Plant Health Act 2008* does not cover apiary biosecurity.

### 4.2.2 Livestock Act 2008

The *Livestock Act 2008* and *Livestock Regulations 2009* cover our regulatory activities for bees and bee products. The owner of beehives must register that beehive with the Registrar – registered owners are then provided with information on the Australian Honey Bee Industry Code of Practice, Industry Biosecurity Plan, and other relevant documentation.

# 5 Plant Biosecurity Programs

## 5.1 Scientific and diagnostic capability

The Biosecurity and Animal Welfare Division includes scientific and diagnostic services, including entomology, molecular biology, and plant pathology. They not only provide scientific and diagnostic testing, but also research support and sound decision making based on scientific advice. The NT Economic Insect and Plant Disease Reference Collection is also maintained by the scientific and diagnostic staff.

Rapid and accurate diagnostics of plant pests and diseases is on hand within in this team and supports capability and capacity that underpins policy and operational activities and surveillance efforts.

Water laboratories also provide support and assist chemical and microbiological residue sampling, biosecurity efforts, and food safety requirements for NT local businesses.

External resources can be called upon through Charles Darwin University, Department of Environment Parks and Water Security, through the Museum and Herbarium groups, and CSIRO.

## 5.2 Prevention

The aforementioned legislation in place aides in the NT's ability to prevent the introduction of plant and bee pests and diseases. Regulations allow for:

- required import permits for identified risk hosts,
- verification/inspection of certified products entering Northern Territory, and
- conducting ad hoc inspections at sites of high risk.

This is complemented with surveillance activities at high risk sites across the NT, and with communications and educational materials to inform commercial operators and the general public about pests and diseases of biosecurity

concerns and their regulatory obligations in relation to the movement of materials and equipment, as well as the need to report pests.

## 5.3 Preparedness

A risk based approach to preparedness has been highlighted as strategic direction for biosecurity. Staff participate in the development and review of industry specific biosecurity plans and undertake Pest Risk Assessments based on Northern Territory's major industries and high risk pathways.

The wider Biosecurity and Animal Welfare Division have a range of staff who have experience responding to biosecurity emergencies such as fruit flies, banana freckle, Asian honey bee, and citrus canker through deployment to other plant biosecurity (and animal disease) incidents and emergencies.

DITT is looking towards continual improvements in planning and preparedness based on learnings from recent incursions. To complement this, a universal review program for responses has been established to assist in identifying key areas for continuous improvement in the future.

Further to this, DITT is working closely with industry and other jurisdictions across northern Australia to enhance operational activities, including biosecurity preparedness, response and recovery.

## 5.4 Surveillance

The Plant Biosecurity Branch conducts a range of surveillance activities as detailed out the NT Surveillance Plan which is updated on an annual basis, and is designed to assist in the rapid and accurate detection of plant pests and diseases (including agricultural and environmental) before they become established in the NT. The plan also assists the NT to effectively assess and demonstrate area freedom through proof of absence, and to delimit the extent of pests already present.

Surveillance incorporates trapping in the vicinity of ports of entry and urban pest surveillance at sites that have a relatively high risk of pest presence bases on pathway, habitat considerations, and major industries.

Our major surveillance efforts include, but are not limited to:

i. Exotic fruit flies at ports and sites frequented by interstate visitors,

ii. Targeted pests at specific sites to support market access,

iii. Targeted exotic pests for the National Plant Health Surveillance Program (NPHSP),

iv. Targeted exotic pests for the National Bee Pest Surveillance Program (NBPSP),

v. Screw-worm fly in conjunction with Livestock Biosecurity efforts,

vi. Endemic bacterial and viral diseases of annual vegetable crops, and

vii. General surveillance activities aimed at targeting high risk pests for the NT.

## 5.5 Market Access

Market access is facilitated through our Plant Biosecurity Branch, with authorised officers assisting local businesses to become, and maintain, certification and accreditation for interstate quarantine and market access. This is undertaken through the Interstate Certification Assurance (ICA) Scheme.

## 5.6 Risk Analysis

DITT is also undertaking risk assessments for key pests and diseases, which includes consideration of entry and movement pathways. This analyses inform decision making, assist in allocating budget and resources to highest risks, identify priority activities and pathways, and assist in identifying areas for capacity building, research and preparedness.

In addition, DITT undertakes regular risk assessments for pests that have been detected in other jurisdictions or for new pests that are detected into the NT. This process identifies the level of risk posed to industry and the community in the NT and informs decision making about the most appropriate response for the NT.

## 5.7 Awareness and reporting

The Department aims to provide an accessible means of reporting and receiving diagnostics for industry, the wider public, and other peak bodies.

An important aspect of education and awareness is fostering “stakeholder” or “grass-roots” reporting through education and awareness campaigns which encourage industry and the public to report potential pest detections.

To ensure that all detections of new pests and diseases are reported, the NT maintains the Exotic Plant Pest Hotline (1800 084 881) and generic email (quarantine@nt.gov.au), direct office line (08 8999 2118). Where messages are left, these are responded to within two business days.

## 5.8. Response

The current DITT response plan for plant pests and diseases is documented as the “Biosecurity Emergency Management Response Plan” and has an all hazards approach.

DITT has been actively involved with Plant Health Australia in the development of industry specific biosecurity plans. These are pre-emptive planning processes to ensure the industry is better placed to maintain domestic and international trade, negotiate access to new overseas markets and reduce the social and economic costs of pest and disease incursions on both the industry and the wider community. Current industry biosecurity plans for NT industries includes banana, mango, tropical fruit, plantation timber and nursery and garden.

The Department continues to review its response activities to generate opportunities to further refine activities and enhance the capacity and capability to respond to future incursions.

## 6. Summary Statement

As a signatory to the Emergency Plant Pest Response Deed, Northern Territory is committed to a whole of government approach to maintain base level capability for threat identification, prevention and detection, capacity and infrastructure to efficiently and effectively respond to and manage incursions of Emergency Plant and Bee Pests and meet its legal and operational obligations according to the requirements, processes and procedures outlines in the EPPRD and PLANTPLAN. The NT is also committed to a national biosecurity system and works closely with other jurisdictions to ensure the protection of international market access for all industries nationally and to ensure Australia' maintains its clean, green reputation for plant products.

**15.9**

ACT Government
Environment, Planning and Sustainable Development

# Statement on Plant Biosecurity Policies and Programs Australian Capital Territory

Prepared by the Environment, Planning and Sustainable Development Directorate pursuant to the *Government and Plant Industry Cost Sharing Deed in Respect of Emergency Plant Pest Responses*

August 2021

## INTRODUCTION

The ACT is 236,000 ha in area. 54% is reserved for environmental conservation, 16% is held under rural lease. The remainder is primarily urban, institutional or broad acre open space managed for public use/environmental conservation. All privately occupied Territory land is leasehold.

The plant industry sector in the ACT is small by any measure – its annual value of production is about $3.5M. Broad acre pastoral enterprises make up the bulk of the primary industry sector - cropping is uncommon and stock feed is often imported. There is a small horticultural element, mainly fruit trees, vines, olives and truffles. Retail nurseries are a prominent feature. Niche industries such as lavender and herbs are an area of potential development. There is an evident trend in lifestyle or hobby farming on rural lands, particularly for smaller blocks. There is a strong 'farmers' market' sector where regional producers sell direct to the public.

### Administrative arrangements

The Australian Capital Territory operates essentially as a city-state with an integrated local government and territory government arrangement.

ACT Government responsibilities for plant biosecurity matters rest primarily with the Environment, Planning and Sustainable Development Directorate (EPSDD) supported by the Transport Canberra and City Services Directorate (TCCS). EPSDD is the principal non urban land manager for the Territory, although management responsibility for defined National Land, comprising national institutions, defence lands and the central parliamentary core area of Canberra, resides with the Australian Government.

EPSDD embraces all relevant non urban operational sectors including: the nature conservation estate; vacant crown land; and the rivers, streams and wetlands contained therein. Native vegetation management, and pine plantation management are areas of vegetation management focus. Functions relevant to plant biosecurity include pest plant and animal management, biodiversity conservation, horticultural services, agricultural extension services and related policy, legislative and regulatory support.

TCCS is responsible for urban land management including Canberra's urban forest.

There is no dedicated biosecurity resource. Government biosecurity responsibilities and functions are integrated with general primary industries, natural resource management and urban amenity policy and operational arrangements and programs. Although integration of local government and territorial functions enables comprehensive coverage of the plant industry sector in general terms, the diseconomies of scale that necessarily apply in a small jurisdiction preclude provision of some of the more specialised biosecurity services (such as pathology/diagnostics) and some of the more resource-intensive activities (such as inspection and broad-spectrum programmed surveillance).

In this context, the ACT is dependent upon and promotes a cooperative regional approach to biosecurity issues with relevant NSW Government agencies. A good example is the collaborative approach to accrediting ACT vineyards as being Phylloxera-free that has been done by NSW. The ACT also works with NSW on a uniform approach to the registration of

bee keepers. Active membership of national biosecurity forums is also important to maintaining currency with trends, developments and issues arising.

***Cooperative land management***

Government land management agencies collaborate with rural landholders on common matters such as weed and pest animal management where a sub-catchment or landscape scale approach is required for an effective outcome.

A rural extension service provides an avenue for engaging the primary industry sector in biosecurity matters such as standards and protocols for detecting, reporting and responding to incursions of pest plants and diseases. There is a range of community-based NRM programs, typically supported by The National Landcare programme funding. They address both urban and non-urban issues and provide a useful network for community engagement more generally.

Rural leases require a Land Management Agreement with the Territory on how the land is to be managed. Particular issues, such as farm biosecurity, weed and fire management are specifically addressed. Advice is provided on natural resource values and other environmental assets and their management requirements.

**STRATEGY AND LEGISLATION:**

In 2016 the ACT released the ACT Biosecurity Strategy 2016-2026 and has commenced development of an integrated Biosecurity Act.

Legislative authority for plant biosecurity lies principally with:

***Plant Diseases Act 2002***
Outlines measures for the control of diseases and pests including provisions for:

- declaring pests and diseases;
- imposing quarantines;
- prohibiting entry of material that could spread disease; and
- dealing with outbreaks of plant diseases or pests.

***Pest Plants and Animals Act 2005***
Provides for the declaration and management of pest plants through inter alia:

- controls over movement, introduction and disposal;
- controls over sale and propagation;
- declaration of notifiable pest plants; and
- directions in relation to management of pest plants.

***Animal Diseases Act 2005***
Regulates the registration, keeping and management of honey bees.

***Nature Conservation Act 2014***
Provides for inter alia:

- declaration of prohibited or controlled organisms and the control of related activities;
- directions in relation to the treatment of native plants suffering from disease; and
- declaration of ecologically threatening processes and the preparation of Action Plans setting out how the process is to be managed.

***Emergencies Act 2004***

Establishes the Security and Emergency Management Senior Officials Group (***SEMSOG***) whose main function is to provide liaison between entities in relation to emergency management. The Emergency Services Commissioner is responsible for the development of the ACT Emergency Plan, which contains a number of issue-specific response sub-plans including the ACT Biosecurity Emergency Plan.

***Planning and Development Act 2007***

Allows conditions to be placed on a lease that may address particular environmental or agricultural concerns.

ACT legislation is available at http://www.legislation.act.gov.au/.

## PREVENTION AND RESPONSE

### Surveillance

EPSDD undertakes both passive and active surveillance programs for pest plants and pests of plants to: protect environmental values and community assets; assist with the maintenance of a viable rural sector; and to respond to ad hoc issues arising from new incursions that may extend to the ACT, or as a partner in a national program. Plant pest surveillance trapping was introduced around Canberra International Airport in 2016 following the commencement of international flights to the Capital.

Longer-term targeted programs are limited because of resource and expertise constraints and are generally confined to particular areas of investment such as turf or plantation assets or where national arrangements are in place. Examples of continuing programs include Exotic fruit fly, Asian Gypsy moth and Pine borer trapping around the airport and the Syrex Wasp control program in pine plantations.

### Quarantine

Plants leaving the ACT that are subject to inspection requirements by the receiving jurisdiction are inspected upon request and issued with plant health certificates if appropriate. Prescribed prophylactic treatment is undertaken.

There is no legislated requirement for routine screening of import or export of plants. Pest plants or plant pests and diseases may be declared as such and movement controls can then be applied. Quarantine areas may be declared in response to a declaration to facilitate control of plant movements and pest/disease management.

**Response mechanisms and capacity**

Whilst there is no dedicated biosecurity resource, in 2013 the ACT put in place new management arrangements for biosecurity, establishing a Virtual Biosecurity Team with biosecurity responsibilities allocated to a range of officers across EPSDD and TCCS.

A Biosecurity Emergency Management Plan has been prepared and a Biosecurity Emergency Preparedness and Response Training strategy is being implemented. Staff capacity to respond to emergencies in terms of experience, skills and equipment is improving as the training strategy is rolled out. All trained staff have delegate authority under relevant legislation. They provide the majority of resources available for an emergency response to a plant pest or disease incursion. Supporting legislation for management of plant pest and disease incursions is adequate for management of small incursions. The Emergencies Act allows a whole-of-government response to be initiated.

There is capacity to identify and manage established pests and diseases impacting on the natural environment, primary industries and urban amenity. Invasive weed management is a major continuing area of investment. A research and diagnostic capacity is generally unavailable within government.

EPSDD participates in, or is a corresponding member of national forums for plant biosecurity and the ACT is a Party to the Emergency Plant Pest Response Deed.

Key ACT policy documents that guide plant biosecurity arrangements include:

- ACT Biosecurity Strategy;
- ACT Weeds Strategy;
- ACT Nature Conservation Strategy;
- Action Plans for threatened species and communities.

**Awareness raising and education**

EPSDD has a comprehensive community engagement, education and information program that is diverse in content and dynamic in nature. Particular elements are directed at natural resource management, primary industry and urban amenity. Tailored strategies are developed in response to particular issues. Links with community and industry stakeholders are established.

These resources and programs form the basis for responding to potential or actual incursions of plants pests and diseases.

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## 15.10

### Almond Board of Australia Biosecurity Statement

### August 2021

The Almond Board of Australia is strongly committed to ensuring the Australian almond industry is effective in reducing the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic and international trade, market access, public health, food safety, regional and national economies and the environment. The Almond Board of Australia is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian almond industry is the largest nut exporting industry, with exports of 76,693 tonnes, valued at $545 million in 2020-21. In 2020 production was 114,427 tonnes however when current plantings of 58,523 hectares reach full maturity the industry's productive capacity is expected to exceed 187,000 tonnes of kernel. Australian almonds are grown in Victoria (45%), NSW (34%), South Australia (20%), and Western Australia (1%).

**INDUSTRY BIOSECURITY PLAN – THE ALMOND INDUSTRY**

The almond industry, through the Almond Board of Australia, has worked with Plant Health Australia, and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks across the tree nut industry sectors.

The National Biosecurity Plan for the Tree Nut Industry consistent with PHA's National Industry Biosecurity Planning Guidelines was officially published in 2016 following endorsement by Government (through the Plant Health Committee) and tree nut industries including ANIC, the almond, chestnut, hazelnut, macadamia, pecan, pistachio and walnut industries. It is a five-year plan 2015-2020 and work is expected to commence on a review of the National Biosecurity Plan for the Tree Nut Industry in 2021.

The National Biosecurity Plan for the Tree Nut Industry comprises an introduction and four other key sections.

The **threat identification section** has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of 37 exotic pests and 37 exotic pathogens across all nuts. Eight high priority pests and two high priority pathogens of concern specific to almonds were short-listed. Pest Risk Reviews provide more detailed information on the biology of individual priority pests, potential hosts, overseas distributions, symptoms, entry/establishment/spread potentials and likely economic and environmental impacts.

The **risk mitigation section** outlines a range of pre-emptive strategies at the national, state, regional and property and nursery levels to ensure the exclusion/management of serious plant pests.

The **contingency plans and response management procedures section** details key industry contacts and communication procedures, relevant counselling and financial counselling providers. Industry specific Contingency Plans will be included as an attachment in the next version of the National Biosecurity Plan for the Tree Nut Industry. These Contingency Plans will underpin and will be used in conjunction with the general management structures of PLANTPLAN. Industry contingency plans will include industry specific details relating to the management, control and eradication of pest threats.

The **awareness section** identifies sources of existing information for the high priority pathogens identified in the priority pest list.

The National Industry Biosecurity Plan for the Tree Nut Industry also includes details of the Orchard Biosecurity Manual for the Almond Industry (2009) to increase awareness of exotic pests and preparedness for response.

In addition, one national diagnostic protocol has been developed for *Xylella fastidiosa* and will form part of future biosecurity plans.

The Almond Board of Australia will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

Of the pests identified in the priority pest list of the National Industry Biosecurity Plan for the Tree Nut Industry, nine have been categorised for inclusion in the Emergency Plant Pest Response Agreement (five are specific to almonds).

The Almond Board of Australia commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

The Almond Board of Australia has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP. The Almond Board of Australia will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. The Almond Board of Australia will also ensure all delegates participate in relevant competency

and non-competency-based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

**BIOSECURITY AWARENESS**

The Almond Board of Australia's strategic plan recognises the risks to industry posed by biosecurity incursions and is supporting R&D and other actions to address the major threats.

The Almond Board of Australia has participated in PHA emergency response training for industry liaison officers; developing the implementation plan for the National Xylella Action plan 2019-2029; and the 2020 EPPRD review.

been involved in promoting the importance of biosecurity within the almonds industry via presentations at Annual Conference and R&D forums and publication of relevant biosecurity information in the industry quarterly newsletter, Enews and web page. A combined industry presentation (Dried Fruits, Wine grapes, Table grapes, Citrus and Almonds) highlighted the importance of biosecurity in maintaining regional sustainability to Mildura Rural City Council councillors.

**OTHER ACTIVITIES**

The Almond Board of Australia contributes a significant portion of its national research and development program through Hort Innovation Australia to plant health and biosecurity issues. For example, Enhanced National Bee Pest Surveillance Program MT16005 project is being undertaken by Plant Health Australia to support a nationally coordinated bee-pest surveillance program for early detection of high-priority pest to help safeguard honey-bee and pollinator-dependent industries in Australia. Additionally, the Almond industry EPPRD levy, which raised funds to meet its share of the Australian government's biosecurity response to *Varroa jacobsoni* incursions in 2017 and 2019, will be extended to address the biosecurity response to Khapra beetle (*Trogoderma granarium*) incursions in 2019 and 2020.

The Almond Board of Australia provides virus tested, true-to-type varietal budwood for nurseries and growers to ensure plantings have the best possible start.

Almond Board of Australia also works closely with Biosecurity Australia on its import risk assessments and liaises with the Australian Quarantine and Inspection Service on post-entry quarantine issues.

**15.11**

# Apple and Pear Industry Biosecurity Statement

July 2021

Apple and Pear Australia Limited (APAL) represents commercial apple and pear growers across eight growing regions in Australia; Queensland (Stanthorpe), NSW (Batlow, Bilpin, Orange), Western Australia (Manjimup/Pemberton, Donnybrook, Perth Hills), South Australia (Adelaide Hills), Tasmania (Huon Valley, Northern Tasmania) and Victoria (Southern and Northern Victoria). The Goulburn Valley in Victoria is the largest production area, accounting for 46% of apples and 88% of pears (Australian Horticulture Statistics Handbook 2019-2020). In 2019-2020 apple and pear production was valued at $718 million.

APAL recognises the need for the apple and pear industries to work with other industries and federal, state and territory governments to help reduce the potential for incursions of emergency plant pests that could adversely impact on productivity and profitability, domestic and international trade, export development opportunities, regional and national economies and the environment.

APAL is committed to ensuring effective and efficient responses to pest incursions are possible to minimise costs to growers, industry, other plant industries, government parties and the wider community.

Through APAL, the apple and pear industries continue to work with Plant Health Australia (PHA) and a range of government agencies, service providers and researchers in Victoria, NSW, Queensland, Western Australia, Tasmania and South Australia to develop effective approaches to manage biosecurity risks across the apple and pear industry.

## INDUSTRY BIOSECURITY PLAN – APPLE AND PEAR INDUSTRY

The *National Industry Biosecurity Plan for the Apple and Pear Industry*, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was published in August 2017 following endorsement by Government and Industry. Copies of the plan are available to key representatives of the apple and pear industry. The *National Apple and Pear Industry Biosecurity Plan* is due for review in 2022.

The Biosecurity Plan identifies and prioritises the apple and pear industries' biosecurity risks and provides a framework for risk mitigation and preparedness activities. The threat identification section includes a list of high priority pests developed through the identification, analysis and prioritisation of 14 exotic pests and 5 exotic pathogens. The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

Contingency plans are available for five pests that affect apples and/or pears: Brown marmorated stink bug (BMSB), Gypsy moth, Tropilaelaps mites, Varroa mite and Fire blight. These contingency plans

underpin, and will be used in conjunction with, the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of sources of further biosecurity information about the high priority pests and for the apple and pear industry.

In addition, national diagnostic protocols have been developed for Brown rot (*Monilinia fructigena*) and European canker.

APAL will work with Plant Health Australia to provide appropriate resources to the ongoing maintenance and reviews of the plan.

## PEST CATEGORISATION

Of the 19 pests identified in the priority pest list of the Industry Biosecurity Plan four have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed (EPPRD).

APAL commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION MAKING PROCESSES/PLANTPLAN

APAL has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

APAL will ensure qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests (CCEPP) and the National Management Group (NMG) and to take up roles in Local Control Centres or the State Coordination Centres. APAL will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

## BIOSECURITY AWARENESS

APAL has been active in promoting biosecurity within the apple and pear industries.

In May 2020, APAL staff and selected board members participated in EPPRD and BISOP training to ensure preparedness in the event of an incursion. Recently, APAL responded to the *Draft Pest Risk Analysis for Cut Flower and Foliage Imports – Part 2*, *Policy for Fruit Fly Sterile Insect Technique,* draft of *Victoria's Fruit Fly Strategy 2021-2025* and the *Draft report for the review of biosecurity import requirements for fresh apple fruit from the Pacific Northwest states of the United States of America*. APAL has promoted biosecurity awareness and preparedness within the apple and pear industry via the industry's e-newsletter *Industry Juice,* magazine *Australian Fruit Grower* and website (apal.org.au). A series of articles in *AFG* has been shared with industry about what happens in the event of an incursion, using the hypothetical discovery of Brown marmorated stink bug in the Yarra Valley as an example.

Talking Points following incursion notifications are also communicated via these means. Sessions are held at industry conferences to inform growers and to improve communication.

OTHER ACTIVITIES

Apple and pear industry funds, collected through the statutory levy, are invested through Hort Innovation in plant health and biosecurity issues. For example, apple and pear levy funds have supported research and extension aimed at improving the use of Integrated Pest Management within the industry.

## 15.12

### Australian Banana Growers' Council Inc. Industry Biosecurity Statement August 2024

Australian Banana Growers' Council (ABGC) is committed to ensuring the Australian banana industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact production, marketability including intra- and interstate trade, regional and national economies and the environment.

The Australian banana industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

### BANANA INDUSTRY BIOSECURITY PLAN

The Australian banana industry, through the ABGC, has worked with Plant Health Australia (PHA), representatives from a range of government agencies and universities to develop a comprehensive national approach to managing biosecurity risks in the banana industry. The approach is reflected in the National Banana Industry Biosecurity Plan that identifies the high priority pests for the Australian banana industry as well as an implementation plan that identifies important activities to be addressed by the various agencies and stakeholders. Its Implementation Plan is monitored with progress assessed annually. The Plan informs the biosecurity R&D projects that are delivered for and by the industry. The Plan will be reviewed in 2025. The Plan has strategies for:

- Capacity and Capability.
- Education and Awareness.
- Preparedness and Response.
- Surveillance.
- Diagnostics.
- Established Pests and Weeds; Biosecurity Research, Development and Extension; and
- Legislative and Regulatory Issues of Importance.

### NATIONAL DECISION MAKING PROCESSES

#### Emergency Plant Pest Response Deed

On behalf of the banana industry, the ABGC is a signatory to the Emergency Plant Pest Response Deed (EPPRD). This is a formal legally binding agreement between PHA, the Australian Government, all state and territory governments and national plant industry body signatories. It covers the management and funding of responses to emergency plant pest (EPP) incidents, including the potential for owner reimbursement costs for growers. It also formalises the role of plant industries' participation in decision making, as well as their contribution towards the costs related to approved responses.

#### Banana Freckle Emergency Response

The detection of banana freckle occurred in the Northern Territory in July 2013. The eradication of banana freckle required the destruction of every banana plant within the containment zone. This was done under the Banana Freckle Response Plan was funded by Australian and State governments and the Australian banana industry through the Plant Health Australia levy. The banana industry contributed 50% of the funding. Proof of Freedom was declared in February 2019.

In June 2022, banana freckle was again detected in the Northern Territory and parties agreed to undertake a cost-shared response to delimit, contain and eradicate the pathogen with the overall aim of declaring area freedom. The banana industry is currently funding 47.1% of the response.

### Owner Reimbursement Costs Evidence Framework

The banana industry has an up-to-date Owner Reimbursement Costs (ORC) Evidence Framework (version 2) to help guide how to calculate the costs that are paid to banana growers who have crops destroyed as a result of an Emergency Plant Pest Response. They aim to reimburse owners for the cost of eradication, loss of income or the value of destroyed crops. The payment of ORCs also aims to provide an incentive for growers and other stakeholders so that they report suspected emergency plant pests (EPPs). The Framework is designed specifically for banana production and was published in 2019.

### PLANTPLAN

ABGC has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and uses this document as a tool to engage effectively with government parties to manage responses to an EPP. This includes participating in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group. ABGC staff have also taken on the Industry Liaison role in Local Pest Control Centres or the State Pest Control Headquarters during Emergency Responses. ABGC staff have participated in workshops to share their knowledge of experiences from working on Emergency Responses. This is an ongoing commitment.

### Biosecurity Online Training (BOLT)

ABGC ensures all delegates (staff and ABGC Board Directors) participate in training that is delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program (BOLT – Biosecurity Online Training). This training forms part of the induction process for new staff and directors.

### Plant Health Levy

The banana industry has a positive Plant Health Australia levy that funds activities that aim to improve biosecurity within the banana industry including the industry's contribution to both the National Torres Strait Fruit Fly Response (see below) as well as the ongoing containment and management of TR4 through the TR4 Program and the response to the detection of banana freckle in the Northern Territory.

### Torres Strait Fruit Fly Response

The ABGC is a cost-sharing partner to the National Exotic Fruit Fly in the Torres Strait Eradication Program. The Response Plan 2021-2026 outlines activities aimed at eradicating annual incursion of three exotic fruit fly species (*Bactrocera dorsalis*, *Bactrocera trivialis* and *Zeugodacus cucurbitae*) from Torres Strait, under the Emergency Plant Pest Response Deed.

These annual incursions have been managed since 1996, initially through the *Long-Term Containment Strategy for Exotic Fruit Fly in Torres* Strait and since 2015, under the Deed. The success of the program is a testament to the commitment and collaboration between governments and industry, especially in northern Australia.

### Queensland Biosecurity Strategy 2017 – 2022

The ABGC is a signatory partner to the Strategy that sets out the goals, principles and themes that prioritise biosecurity actions.

## SHARED RESPONSIBILITY

### Panama TR4

Panama disease tropical race 4 was first detected on a north Queensland banana farm in March 2015. Due to the collaborative efforts of banana growers, the ABGC and the Queensland Department of

Agriculture and Fisheries (DAF), there has been a slow spread of the disease. By 1 July 2024, the disease has been contained to six commercially operating farms in the Tully Valley. These quarantined farms continue to produce and pack fruit under strict biosecurity conditions. The plants on the original infected property were destroyed and all farming operations ceased. This farm is owned by the Australian Banana Growers' Council. The ABGC and DAF are working collaboratively to transition the leadership of the Panama TR4 Program from government to industry. A Code of Practice, developed by ABGC, applies to infected properties and describes the management and control of TR4 on these farms.

### Yellow Sigatoka and biosecurity awareness

Yellow Sigatoka is an endemic leaf disease that spreads easily if not controlled and causes significant production losses. An officer is employed by the ABGC to undertake inspections for the presence of yellow Sigatoka and other banana diseases in the north Queensland commercial production area and work with growers to assist them to control the disease and implement on-farm biosecurity. This project is funded by the compulsory R,D &E banana levies paid by banana growers and matched by the Australian Government.

### Banana Bunchy Top Virus

A control program for banana bunchy top virus has been operating in NSW and south-east Queensland since 2009. The ABGC is delivering the project to contain and supress the virus to a limited area through targeted surveillance and destruction of infected plant material on commercial farms. A major component of the project is the education and awareness program to increase growers' capacity to detect and manage their own bunchy top disease on their farms. This project is funded by of the compulsory R,D &E banana levies paid by banana growers and matched by the Australian Government.

### Biosecurity Code of Practice for Planting Material

The Australian banana industry has a voluntary Biosecurity Code of Practice to help protect it from devastating pests and diseases. The Biosecurity Code of Practice for Planting Material clarifies industry's expectations of growers in high-risk biosecurity areas when they are sourcing and planting banana material and helps them meet their obligations under state legislation. Outlined within the code are the minimum reasonable and practical steps to be considered to mitigate biosecurity risks associated with planting material.

## R&D PROJECTS

The banana industry makes significant investment in biosecurity research and development through compulsory levies paid by banana growers and matched by government funding to find more effective and sustainable solutions to pest and disease management as well as understand and prepare for any future exotic pest and disease incursions.

### Biosecurity R&D coordination and strategy.

The ABGC employs two staff members who have a combined responsibility for coordinating biosecurity related research and development as well as strategy development and implementation. These staff are funded by the compulsory R,D &E banana levies paid by banana growers and matched by the Australian Government.

## BIOSECURITY AWARENESS

### Biosecurity BMP Guideline

This BMP guideline was developed following the detection of Panama disease tropical race 4 in North Queensland in 2015. This resource was developed as part of the Fusarium Wilt Tropical Race 4—

Biosecurity and Sustainable Solutions Project using banana industry research and development levies with co-investment from the Department of Agriculture and Fisheries and funds from the Australian Government.

It is designed to help growers implement effective on-farm biosecurity practices. The guideline has been designed as a valuable resource for all banana farming businesses, whether they have on-farm biosecurity systems in place or are planning to implement them. The reference material in this resource has a focus on Queensland and uses Panama TR4 disease as an example however the practices are applicable to all production areas in Australia. It consists of a self-assessment checklist and reference material divided into four major sections—zoning, general farm operations, crop production and fruit movement.

### General Awareness Raising

Australian Banana Growers' Council has been involved in promoting on-farm biosecurity within the banana industry via the inclusion of biosecurity awareness sessions at its biannual industry Congress as well as through its regular industry publications and website.

## OTHER ACTIVITIES

### Feral pig control

As a result of the presence of TR4 in the Tully Valley, Biosecurity Queensland, industry, local government stakeholders and the Queensland Department of Agriculture, Fisheries and Foresty have developed a feral pig management plan (with funding) that complements the activities of the Panama TR4 Program. Feral pigs in Tully have been identified as a major risk vector in the spread of TR4. This program has been very successful in removing several thousand feral pigs from the Tully Valley area.

### Quality Approved Banana Nursery (QBAN) scheme

The QBAN scheme accredits approved businesses who provide high health, clean planting material. The scheme was historically administered by the Queensland Government but transitioned to a third-party accredited scheme jointly run by Greenlife Industry Australia (GIA) and ABGC, since 2021.

Participation in QBAN is voluntary and any banana propagation business who can meet the QBAN requirements, may apply for accreditation under the scheme. This includes businesses involved with one or more of the activities associated with banana nursery stock production including:

- sourcing or collection of propagative material for tissue culture initiation.
- tissue culture propagation.
- grow-out nurseries.

The production and use of high health planting material is key to good plantation management. It plays an essential part in ensuring serious pests and diseases, such as Panama disease, Bunchy Top virus, banana weevil borer etc do not spread within and between farms.

## 15.13

## Queensland Cane Growers Organisation Ltd.

## Sugarcane Industry Biosecurity Statement August 2024

Australia's sugarcane is grown in coastal plains and river valleys scattered along the 2,100 km of Australia's eastern coastline - between Mossman in far north Queensland and Grafton in New South Wales. Queensland accounts for about 95% of Australia's raw sugar production, and New South Wales around 5%.

More than 4,000 sugarcane farms operate along Australia's eastern seaboard. While the average size of a sugarcane farm is 100 hectares, some are in excess of 1,000 hectares. Average farm size is increasing slowly as the number of growers contract and with an increasing need for greater economies of scale. Australia produces 30-35 million tonnes of cane per year which, when processed, equates to around 4-4.5 million tonnes of sugar.

In terms of raw sugar, Australia is the third largest exporting nation, with 80% of its processed sugar exported. The production value of Australia's sugar industry is around $2 billion per annum.

CANEGROWERS is the Plant Health Australia Ltd (PHA) representative organisation for the sugarcane industry. Sugar Research Australia (SRA) is an industry owned company funded by a statutory levy that invests in and manages a portfolio of research, development and adoption (RD&A) projects that drive productivity, profitability and sustainability for the Australian sugarcane industry. Both CANEGROWERS and SRA recognise the need for the industry to work with the federal, state and territory governments to help reduce the potential for incursions of emergency plant pests that could adversely impact production, domestic and international trade, regional economies and the environment. The industry is also strongly committed to ensuring that responses to any pest incursions are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

**The Sugarcane Industry Biosecurity Plan**

The Sugarcane Industry Biosecurity Plan (Version 1.0), consistent with PHA's National Industry Biosecurity Planning Guidelines, was launched in June 2004. With funding from SRA, five-yearly reviews have subsequently led to updated Plans being released in June 2009 (Version 2.0) and May 2016 (Version 3.0). The next review is occurring during 2022-23, to be conducted by PHA with SRA funding. This review process will (a) establish a Technical Expert Group (TEG) to advise on high priority pests and diseases, and a Biosecurity Implementation Group (role likely to be met by the existing Sugarcane Industry Biosecurity Committee); (b) review and revise the new Sugarcane Biosecurity Plan; (c) develop a Farm Biosecurity Manual in a form that suits end-users; and (d) establish a Biosecurity Reference Panel (BRP) that will regularly update and assess the Biosecurity Plan including the list of high priority pests and diseases.

The biosecurity plan identifies and prioritises the sugarcane industry's biosecurity risks and provides a framework for risk mitigation and preparedness activities. The awareness section identifies a range of existing industry processes, fact sheets and other sources of information for the 23 high priority pests (HPPs) that is used to promote biosecurity awareness throughout the industry.

Earlier review of the Plan led to the establishment of the Sugarcane Industry Biosecurity Committee to meet annually for the life of each Biosecurity Plan and review its pertinence and implementation. This was in

recognition of the joint responsibilities of government and industry to promote better biosecurity practices and preparedness for the sugarcane industry.

**National decision making processes**

CANEGROWERS will endeavour to ensure that senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters in the event of an incursion.

CANEGROWERS will also endeavour to ensure that all delegates participate in relevant competency and non-competency based training, which is being delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program. SRA will have a significant role in these activities.

**Pest categorisation**

Of the 23 high-priority pests identified in the previous Sugarcane Industry Biosecurity Plan, seven have already been categorised for inclusion in Schedule 13 of the EPPRD. CANEGROWERS commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts. Pest categorisation will be next reviewed concurrent with the new plan (2022-23), and then refined on an annual basis.

**Owner Reimbursement Costs**

CANEGROWERS have developed the Evidence Framework for Owner Reimbursement Costs for the Sugarcane Industry (2007). CANEGROWERS will work with PHA to review this framework as appropriate.

**Best Management Practices - Smartcane BNMP Program**

The Smartcane BMP Program (**www.smartcane.com.au**) is an industry-led best management practice system for cane growing across Queensland. Smartcane provides a mechanism for growers to demonstrate their sound farming practices and to identify options for further innovation and improvement.

The industry has developed a series of seven Smartcane 'modules' covering all farm activities. These modules accommodate continuous improvement, and are based on regular view and update by agronomic and other specialists. The modules are:

1. Soil Health and Nutrient Management
2. Weed, Pest and Disease Management
3. Irrigation and Drainage Management
4. Crop Production and Harvesting Management
5. Natural Systems Management
6. Farm Business Management
7. Workplace Health and Safety.

The Weed, Pest and Disease Management module supports biosecurity principles and actions. Disease management in sugarcane relies heavily on an integrated approach. Most diseases of sugarcane are not

managed by crop protection products alone, or at all, and rely on a combination of hygiene practices, variety selection, fallow management, and use of clean seed of approved varieties. Smartcane supports a team of local facilitators throughout Queensland to help growers progress through the program.

**Biosecurity awareness material and extension services**

SRA and CANEGROWERS provide a range of biosecurity awareness materials for growers. This includes:

• Frequent and ongoing communication with industry, including the quarterly magazine, CaneConnection; a compilation of short videos which cover a range of topics, online webinars and industry updates, CaneClips.

• Biosecurity awareness and education workshops in major growing regions to inform growers about pest and disease best management practices as well as the latest in research undertaken by the industry.

• Two field guides, Diseases of Australian Sugarcane and Pests of Australian Sugarcane, contain the latest information on established and exotic pests and diseases for the Australian sugarcane industry. These guides are also available as free e-books.

• The Sugarcane Biosecurity Manual, released in January 2017 and produced by PHA and SRA. This contains all of the relevant biosecurity information for growers, such as each individual's General Biosecurity Obligation (GBO), biosecurity zones, pest fact sheets as well as a range of other information to help the sugarcane industry protect their properties from established and exotic pests and diseases. This document is a useful resource and has informed many fact sheets and articles in industry publications.

• Productivity Service companies are regional organisations that provide clean seed, services to prevent pest and disease spread and extension advice to growers within each sugarcane district. In most districts Productivity Services staff have been trained to provide machinery inspections and approvals to move machinery between sugarcane biosecurity zones.

**Other preparedness activities**

CANEGROWERS and SRA are committed to the actions required to implement the Sugarcane Industry Biosecurity Plan. This includes developing and finalising National Diagnostic Protocols, fact sheets and contingency plans/dossiers for all HPPs and a range of other biosecurity preparedness activities. Any outstanding items will be addressed and prioritised in the new 2022-23 plan, along with any new recommendations.

SRA plays an essential role in the biosecurity management and preparedness of the sugarcane industry. This includes overseeing national sugarcane breeding programs and the development of disease resistant varieties, improving the capability for the identification of high priority pest and pathogen species by morphological and molecular techniques, as well as conducting or assisting with surveys for sugarcane pests and diseases in neighbouring countries, such as Papua New Guinea and Indonesia. SRA also has strong links with sugar R&D groups in overseas countries to become familiar with and learn how to manage priority exotic pests and diseases.

**15.14**

# Plantation Forest Industry Biosecurity Statement

July 2021

Australia's plantation forest estate stands at a little over two million hectares, split evenly between softwood and hardwood. In 2017-18, 28.6 million cubic metres of logs were harvested from Australia's plantation estates for further processing in Australia and export. The plantation resource provided almost 80% of the log resource that supports forest, wood and paper product industries. Overall, the forest, wood and paper products sector is Australia's 6th largest manufacturing industry, generating total annual sales of over $23 billion per annum and employing approximately 80,000 Australians directly and an additional 100,000 indirectly.

The Australian Forest Products Association (AFPA) is the peak national body for Australia's forest, wood and paper products industry. We represent the industry's interests to governments, the public and other stakeholders on matters relating to the sustainable development and use of Australia's forest, wood and paper products.

AFPA is strongly committed to ensuring the plantation forest sector effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on the environment, regional and national economy and international trade in forest products. The plantation forest sector is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

## PLANTATION FOREST BIOSECURITY PLAN

AFPA works with Plant Health Australia (PHA), the Commonwealth Department of Agriculture, Water and the Environment, and a range of government agencies and industry groups to develop a comprehensive national approach to managing biosecurity risks in the plantation forest sector. This is documented in the Plantation Forest Biosecurity Plan that is developed through PHA with funding and in-kind support from Forest Wood Products Australia (FWPA) and AFPA.

The Plantation Forests Biosecurity Plan is a framework document designed to highlight pest risk and suggested activities and investment in biosecurity for Australia's plantation forest industry.

Copies of the plan are available to key industry representatives, including AFPA plantation grower members, state forest industry associations and their members, and the Institute of Foresters of Australia (IFA) and Australian Forest Growers (AFG) and their members.

## PEST CATEGORISATION

AFPA commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION MAKING PROCESSES – PLANTPLAN

AFPA has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

AFPA will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. AFPA will also ensure all delegates participate in relevant competency and non-competency based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

## BIOSECURITY AWARENESS

AFPA has a Forest Health and Biosecurity subcommittee comprising industry representatives and technical experts who regularly consider and provide advice to senior industry leaders on matters relating to forest health and biosecurity across the forestry industry. Biosecurity issues are a regular item at major forest/plantation grower conferences and are a standard point of discussion at quarterly AFPA meetings.

## OTHER ACTIVITIES

### National Forest Biosecurity Surveillance Strategy & Implementation Plan

AFPA member expertise contributed to the development of a *National Forest Biosecurity Surveillance Strategy 2018-2023* and accompanying *Implementation Plan (the Strategy)*. These documents outline a vision for improved biosecurity outcomes for the forestry industry and other forest stakeholders such as government, natural resource managers and the community through the establishment of a *National Forest Pest Surveillance Program*.

### National Forest Biosecurity Coordinator

To drive the vision outlined in the Strategy for the establishment of a national program AFPA is funding the role of a National Forest Biosecurity Coordinator at PHA.

### FWPA Damage Agents Investment Plan

FWPA is the forest industry's statutory research, development and extension services corporation. AFPA member expertise contributed to the development of FWPA's Damage Agents Investment Plan. The investment plan has incorporated the RDE activities previously identified in the Strategy. Pending approvals of individual projects, under the plan, there is provision to invest $3M toward forest biosecurity RDE over 5 years (2019-2023).

### Giant Pine Scale Transition to Management

AFPA, assisted by PHA, continues to oversee the implementation of activities under the Giant Pine Scale Transition to Management Plan.

**15.15**

# Ginger Industry Biosecurity Statement

**July 2022**

## Introduction

To ensure its future viability and sustainability, the Australian ginger industry, represented by the Australian Ginger Industry Association as the peak industry body, acknowledges the importance of minimising the risk posed by exotic pests and the need of effective responses to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Australian Ginger Industry Association is committed to work with federal, state and territory governments to help reduce the potential for incursions of emergency plant pests that could adversely impact on production, domestic and international trade and the regional economy and environment.

The association continuously work towards a comprehensive national approach to managing biosecurity risks in the ginger industry. Valuable assistance is received from Plant Health Australia, AgriFutures Australia, Biosecurity Queensland, the Australian Government Department of Agriculture and Water Resources, researchers and staff from Queensland Department of Agriculture and Fisheries (DAF) and several universities.

## Commitments under the Emergency Plant Pest Response Deed

### Ginger Industry Biosecurity Plan

The Biosecurity Plan for the Ginger Industry (Version 2.0 January 2020) was developed in consultation with the Ginger Technical Expert Group (TEG) and Ginger Biosecurity Implementation Group (BIG), which consisted of plant health and biosecurity experts and industry representatives. These groups were coordinated by Plant Health Australia (PHA) and included representatives from the Australian Ginger Industry Association, relevant state and territory agriculture agencies and PHA.

The biosecurity plan identifies and prioritises the ginger industry's biosecurity risks and provides a framework for risk mitigation and preparedness activities. It also provides a way to address the strengths and weaknesses of the ginger industry's current biosecurity position and allows for annual reviews to be undertaken to assess progress against agreed activities, with another formal review conducted in 2025.

## Pest Categorisation

The Australian Ginger Industry Association strives to ensure that appropriate industry technical experts will be available to participate in future meetings regarding either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts. Currently, three exotic and three established pests have been categorised and are listed on the Ginger High Priority Pest (HPP) list.

Assessments may change due to increased understanding of pest biology, changes to fresh ginger import arrangements, or production methods. The HPP list will be reviewed on an annual basis through the Biosecurity Reference Panel.

## National decision-making processes

The Australian Ginger Industry Association endeavours to ensure that senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests (CCEPP) or the National Management Group (NMG) and to take up roles in Local Control Centres or the State Control Centres during the event of an incursion. The Australian Ginger Industry Association also strives to ensure that all delegates participate in relevant competency and non-competency-based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

## PLANTPLAN

PLANTPLAN (Australian Emergency Plant Pest response Plan) outlines the generic approach to response management under the EPPRD and introduces the key roles and positions held by industry and government during a response. The document is supported by a number of operating guidelines, job cards and standard operating procedures that provide further details on specific topics.

The Australian Ginger Industry Association has endorsed PLANTPLAN and will use this document to work effectively with government parties and other industry parties to manage any agreed responses to an EPP incursion.

## Owner Reimbursement Costs

Owner Reimbursement Costs (ORC) are included in the shared costs of a response and are available to eligible growers to alleviate the financial impact of crops or property that are directed to be destroyed under an agreed response plan.

There is currently no ORC framework for the Australian ginger industry. Developing an ORC framework may be a focus in the second stage of investment.

## Capacity and Capability

The Australian Ginger Industry is committed to build support and raise awareness as they lead the industry in biosecurity issues. The association ensures representation on the Biosecurity Reference Panel (BRP) will be available to help coordinate the industry's future biosecurity activities, develop key biosecurity messages/materials and review of the implementation plan activities and priorities annually.

To increase the capacity and capability of the Australian ginger industry, the association has made it compulsory for member to hold a current food safety accreditation and the industry has a tissue culture plan.

## Plant Biosecurity Education and Awareness

The Australian Ginger Industry Association strives to promote, disseminate and demonstrate biosecurity to the Australian ginger industry through industry forums, field days, networks and/or workshops (hard copy and online).

The association educates new growers to the industry and refreshes the knowledge of established growers. The association also includes biosecurity discussions as a component of grower events to reinforce key messages and raise awareness of new legislation. The development and distribution of awareness material to encourage industry engagement on biosecurity issues is a key activity for the association.

The association will also ensure that management team members and key industry staff undertake deed training when needed.

## Preparedness and Response

The Australian Ginger Industry Association will help prepare for an incursion response by assisting in the development of fact sheets and contingency plans.

The association provides fact sheets that contains summary information about the pest, its biology, what it looks like and what symptoms it may cause will be provided to growers.

AGIA strives to make sure that suitable candidates are available for the development of contingency plans and participate in the investigation of the development of the off shelf/emergency permits with the APVMA for chemical treatments for Australian ginger industry HPP.

## Surveillance

Early detection of a pest incursion can significantly increase the likelihood of a successful eradication and reduce associated costs. Effective surveillance plays a critical role in working towards this goal. Surveillance can be either targeted towards specific pests or general in nature.

By raising the awareness of HPPs, exotic and established pests the association attempts to ensure better monitoring across the industry and an improved understanding of the importance of monitoring records regardless of whether a pest was found or not.

## Industry specific response procedures

### Industry communication

As the peak industry body for the Australian ginger industry and i.e., signatory to the EPPRD, the Australian Ginger Industry Association is the key point of contact if a plant pest affecting the ginger industry is detected and responded to using the arrangements in the EPPRD. During incursion the industry nominees for CCEPP and NMG will be contacted and the Australian Ginger Industry Association endeavours to ensure that the contact details are updated and relevant.

The association also acknowledges that as key point of contact, the association will be responsible for relevant industry communication and media relations during incursion.

15.16

# Biosecurity Statement

Australian Grape and Wine Incorporated 2024

## 1. Australian Grape & Wine Biosecurity Statement

### The Australian Wine Sector

The wine industry has a significant footprint in Australia, comprising 6, 000 wine grape growers and over 2, 000 wine producers over a vineyard area of approximately 145, 000 hectares. Australian producers currently export close to 60 per cent by volume. Both viticulture and wine production contribute significantly to regional economies and it is estimated that the wine industry contributes over $40 billion including flow on benefits, and employs over 170, 000 people. Australian grape and wine producers work hard to protect and grow our markets by building a global reputation for producing high quality wines.

To date, tight biosecurity controls have contributed to this effort. Our fortune in avoiding many of the world's most devastating grapevine diseases means we possess some of the oldest vineyards in the world and can produce exceptional quality wines from healthy vineyards. Pests and diseases can impact quality and quantity of production, add to production costs or both. Winegrapes are unique from many other plant products in that the greatest threats are those associated with vine decline or vine death, usually being bacterial, fungal or viral. As wine is almost exclusively exported as processed or packaged product, producers avoid export market access issues relating to pests and diseases. There remain many exotic diseases of grapevines which, if introduced, could impact the high quality of wine we strive to maintain, making entire vineyards unviable.

The wine sector is strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to grape growers, the sector, other plant industries, government parties and the wider community.

### Industry Biosecurity Statement

The viticulture industry in Australia includes Australian Grape & Wine, Australian Table Grape Growers Australia (ATGA), Dried Fruits Australia (DFA) and Nursery and Greenlife Industry Australia. The industry works with Wine Australia, Hort Innovation, Plant Health Australia (PHA), the Department for Agriculture Fisheries and Forestry (DAFF) and state and territory agricultural agencies to maintain a comprehensive national and cross-sectoral approach to managing biosecurity.

Australian Grape & Wine promotes biosecurity within the wine sector and the viticulture industry more broadly. The industry continues to effectively manage the spread of Phylloxera, one of the world's most significant grapevine diseases, through well-informed on farm biosecurity measures. Australian Grape & Wine's national Wine Biosecurity Committee provides a mechanism for coordinating and prioritising biosecurity work across the wine sector and promoting leadership.

Australian Grape & Wine also includes regular biosecurity updates in the member newsletter and provides biosecurity alerts in the event of serious endemic pest events or exotic pest incursions.

Australian Grape & Wine is committed to working with government parties to manage any agreed responses to an emergency plant pest using PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in the Local Pest Control Centres or State Pest Control headquarters. Australian Grape & Wine will use its best endeavours to ensure all delegates participate in relevant competency and non-competency-based training through the PHA national training program including training for industry liaison in an emergency response and has developed a strong network of potential Industry Liaison Officers around the country. Australian Grape & Wine has also developed a Biosecurity Emergency Response Plan to guide industry regarding their role in a response.

**15.17**

# AUSTRALIAN HONEY BEE INDUSTRY COUNCIL INC

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**BEEKEEPING INDUSTRY BIOSECURITY STATEMENT** **August 2024**

The Australian Honey Bee Industry Council (AHBIC) is strongly committed to ensuring the beekeeping industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on beekeeping in Australia, domestic trade, international trade and market access. The beekeeping industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Currently there are total of over 30,000 beekeepers registered in Australia and those in the commercial sector are increasing to 1,800 beekeepers. The value of honey production in Australia is estimated to be $138 million. The value of crops benefitting from honey bee pollination is estimated at $14.2billion.

**INDUSTRY BIOSECURITY PLAN – BEEKEEPING INDUSTRY**

The beekeeping industry through the Australian Honey Bee Industry Council has worked with Plant Health Australia (PHA), and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks in the beekeeping industry.

The National Beekeeping Industry Biosecurity Plan launched in 2013, is in the process of being reviewed. A Biosecurity Beekeeping Manual has been distributed to beekeepers Australia wide and has been well received. Some state beekeeping associations continue to distribute copies to newly registered beekeepers. Work has commenced on a review of the National Beekeeping Industry Biosecurity Plan. A review of the National Bee Pest Surveillance Program (NBPSP) is currently underway. This review will be the basis of how this program goes forward when the current term finishes.

The National Beekeeping Industry Biosecurity Plan comprises of an introduction and three other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of exotic pests. Pest risk assessments have been carried out.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious pests.

**PEST CATEGORISATION**

Categorisation has been undertaken on *Varroa destructor* and it has been categorised as 3. Other exotic pests remain to be categorised.

A National Varroa Mite Eradication Program (NVMEP) currently underway in Townsville is being conducted under the default category i.e. 3.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

The Australian Honey Bee Industry Council has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

The Australian Honey Bee Industry Council will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. The Australian Honey Bee Industry Council will also ensure all delegates participate in relevant competency and non-competency based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

Representatives from the various States have undertaken Industry Liaison Officer (ILO) training and AHBIC is looking at further training in the future.

**CODE OF PRACTICE**

The Australian beekeeping industry has adopted a Biosecurity Code of Practice (COP) which has now been mandated by several State Departments as part of the registration process for beekeepers.

Work is also being undertaken to harmonise the requirements for interstate movement of bee hives as part of the industry 5 zone policy i.e. Western Australia, Northern Territory, Kangaroo Island, Tasmania and the rest of Australia.

Australian Honey Bee Industry Council

**15.18**

# AUSTRALIAN LYCHEE GROWERS ASSOCIATION

## Australian Lychee Industry Biosecurity Statement July 2024

On behalf of the Australian lychee industry, the Australian Lychee Growers Association (ALGA) is strongly committed to ensure the lychee industry and growers of lychee are aware of any biosecurity risk or threat which may affect the industry. The industry is also committed to the management of any such risk or threat which could have the potential to adversely impact the domestic market, the industry's export trade, market access negotiations as well as ensuring sustainable returns to the grower are able to be maintained.

ALGA is also committed to ensure responses to any pest and plant disease incursion will be undertaken and responded to in a timely manner effectively minimising costs and disruptions to growers, the industry, other plant industries, government parties and other relevant industries.

- There are approx. 250 lychee orchards spread throughout Queensland & New South Wales growing regions
- Australian lychees are harvested from October in Far North Queensland to early April in New South Wales
- Australia has the longest line of supply of fresh lychee compared to all other lychee producing countries. This is a significant advantage over other suppliers on the world market
- Australian lychees are produced & harvested counter seasonal to Northern Hemisphere countries
- Approx 75% of annual production is consumed domestically and sold in the major fruit & vegetable markets in Brisbane, Sydney, Melbourne and Perth
- Export markets account for the remaining 25% of annual production, with Australian lychees exported to: New Zealand, Hong Kong, Singapore, Malaysia, Indonesia, Europe, Middle East, UK, Canada and USA
- Northern Hemisphere lychees are imported into Australia during winter months of May through to July. Strict import protocols and phytosanitary requirements are in place for importing countries e.g. China, Taiwan, Thailand and Vietnam

**Lychee Industry Biosecurity Plan 2021-2026**

The Biosecurity Plan for the Australian Lychee Industry focuses on the following five key areas over the years 2021-2026 (i.e. the life of this Biosecurity Plan).

1. High priority exotic pests and established pests of biosecurity significance
2. Implementing biosecurity for the Australian Lychee Industry 2021-2026
3. Threat identification and pest risk assessments
4. Risk mitigation and preparedness
5. Response management

**Pests of biosecurity significance overview**

- This section is a key component of the Industry Biosecurity Plan which enables identification & information on the High Priority Pest (HPP) list and established pests

of biosecurity significance to the Australian Lychee Industry. These pest lists, provide the Australian Lychee Industry, commonwealth, state and territory governments, and other relevant stakeholders with the information needed to prioritise resources for biosecurity risk management.

- The exotic HPP list and established pests of biosecurity significance will allow industry and government to better prioritise preparedness activities and will assist in the implementation of effective grower and community awareness campaigns, targeted biosecurity education and training programs for growers, development of surveillance programs, diagnostic protocols as well as development of pest-specific mitigation activities.
- Established weeds of biosecurity significance were considered during the development of this plan. No weeds of biosecurity significance were identified for the Australian Lychee Industry through consultation with government and industry.

**Pollination pests**

- Lychee flower pollination occurs by a combination of autogamous self-pollination, wind and a range of native and established insect species, including native & stingless bees and European honeybees. A list of the high priority bee pests and pest bees which could impact the Lychee industry can be located on the Plant Health Australia website planthealthaustralia.com.au/about/ and the BeeAware website beeaware.org.au/pests/
- Varroa destructor mite is a notifiable pest of honeybees and is now considered established in New South Wales.
- ALGA, on behalf of the lychee industry, are signatories to the Emergency Plant Pest Response Deed (EPPRD) along with 37 other industry parties, Plant Health Australia (PHA) and 8 Government parties including Commonwealth, State & Territory governments who have committed to become involved in decision making in an outbreak of a pest or disease which may affect all or some of the industries. The lychee industry is one of 16 affected industry parties of the Varroa Mite incursion and is now participating in the 'cost sharing' involved for these 16 affected industries (and government) parties in the eradication Response Plan and the subsequent Transition to Management Plan.

**Lychee Pest & disease categorisations**

The industry will continue to keep abreast of any updates which may result in changes to pest or disease categorisations, funding weight calculations and cost sharing responsibilities of the EPPRD. ALGA will ensure qualified industry delegates are available to participate in meetings of the Consultative Committee on Emergency Plant Pests (CCEPP) or the National Management Group (NMG). Technical expert advice and assistance will continue to be sought to ensure ALGA decision making is a representation of the 'whole of industry'.

**Biosecurity awareness & industry communication**

ALGA has been active in promoting on-farm biosecurity awareness, plans & procedures for the lychee industry. The first three articles of the recently released PHA Biosecurity Industry

resource toolkit have been uploaded onto the ALGA website as well as articles published in the industry magazine. The toolkit is an educational resource designed to assist plant industry peak bodies in educating their members about the EPPRD. The toolkit comprises a collection of 12 articles which aims to help establish plant health industry bodies as primary points of contact, improve member's understanding of national biosecurity arrangements and help prepare for plant pest incursions. The remaining 9 articles will be uploaded onto the ALGA website, as released by PHA.

As the key point of contact, ALGA acknowledges that the industry association will be responsible for relevant industry communication and media relations during an incursion.

**Biosecurity levy**

In 2024 the lychee industry commenced proceedings to establish a Plant Health Australia biosecurity levy by proposing changes to the components of the existing lychee grower levy. Procedures involved grower levy payer updates, industry announcements and an industry survey requesting support or non-support of the proposed change. The proposed change was endorsed and supported by the majority of growers resulting in a submission to the Minister for Agriculture, Fisheries and Forestry requesting consideration and approval for the establishment of the PHA levy.

The current lychee levy and charge (levy) was introduced 1 February 2004. Lychees that are produced in Australia and sold by a producer or exported will attract a levy or charge. Horticultural Innovation Australia Limited (Hort Innovation) is responsible for the investment of the lychee levy in consultation with ALGA.

The current levy is collected on a per kilogram basis of 8 cents per kilogram with the following components:

- 5.5 cents per kilogram to Hort Innovation for industry research & development
  and
- 2.5 cents per kilogram to Hort Innovation for industry marketing

There is also a 1 cent per kilogram levy on processing lychees. No changes are proposed to the components of this levy and it should be considered outside of the scope of this submission.

ALGA requested that in respect to lychees, the Australian Government introduce a Plant Health Australia Levy (of 0.50 cents per kilogram) and reduce the rates of the R&D and marketing levies (each by 0.25 cents per kilogram). This would retain, but effectively redistribute the current 8 cents per kilogram levy with levy components as follows:

- 5.25 cents per kilogram to Hort Innovation for industry research & development
  and
- 2.25 cents per kilogram to Hort Innovation for industry marketing
  and
- 0.50 cents per kilogram to Plant Health Australia for industry biosecurity (including repayment of underwritten response costs to the Australian Government).

If approved, the changes will be effective 1 January 2025.

## 15.20

**Australian Mango Industry Association (AMIA)  Biosecurity Statement – July 2024**

### The Australian Mango industry

The Australian Mango Industry Association (AMIA) is committed to contributing to Australia's biosecurity systems and works with growers, industry and government in a range of biosecurity activities including surveillance and preparedness.
The mango industry is one of northern Australia's largest horticultural industries with production regions in Western Australia, the Northern Territory and Queensland.
Approximately 51% of Australia's mangoes are grown in the Northern Territory (Darwin, Katherine and Mataranka), 45% in Queensland (Mareeba/Dimbulah, Bowen/Burdekin and central/south-east Queensland) and 3% in Western Australia (Kununurra, Carnarvon and Gingin). There are also growers in New South Wales, South Australia and Victoria.
The majority if production is destined for the Australian domestic fresh markets, with the processing sector also accounting for substantial volumes. The industry has been committed to growing export markets and exports to a range of southeast and eastern Asian markets, Middle east countries, New Zealand and North America (Canada and USA).
The harvest season commences in September and extends through to March with small volumes dispatched through July/August. The supply peaks through October to January.

### Mango industry biosecurity

AMIA is committed to strengthening industries preparedness to biosecurity threats by working with Plant Health Australia (PHA), the Commonwealth, State and Territory governments and Australian plant-based industries.
Each year AMIA undertakes surveillance for exotic pests and established pests of biosecurity concern and works with growers and government in biosecurity communication and extension activities.
In conjunction with PHA and Commonwealth, State and Territory governments the industry has developed and maintained the current Biosecurity Plan. The Biosecurity Plan for the Mango Industry (*Version 3.0*) was published in 2019 and has been regularly reviewed with the current version (Version 3.4) published in September 2022.
The biosecurity plan is a framework to coordinate biosecurity activities and investment for Australia's mango industry. It provides a mechanism for industry, governments and stakeholders to better prepare for and respond to incursions of exotic pests. The presence of any of the mango industry's high priority exotic pests could cause major impact to both production and trade
The biosecurity plan was developed in consultation with industry and government, including entomologists, plant pathologists, biosecurity specialists and industry representatives. PHA coordinated and facilitated the development of the biosecurity plan.
AMIA is also focussed on the development of regional biosecurity plans, improved orchard and business biosecurity planning and improving preparedness in the event of an exotic pest incursion.

## 15.21

Melon Industry Biosecurity Statement
September 2024

Melons Australia (the Australian Melon Association Inc.) is strongly committed to ensuring the melon industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic and international trade; market access; and regional and national economies. The melon industry is also committed to ensuring responses to any plant pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The melon industry has a Plant Health Australia levy of 0.1c/kg and an EPPR levy currently set at 0.0c/kg. A Memorandum of Understanding exists between Melons Australia and PHA to define how the PHA levy is invested. The PHA levy raises approximately $200,000 per annum. Current response contribution includes Torres Strait Fruit Fly and Varroa Mite.

INDUSTRY BIOSECURITY PLAN – MELON INDUSTRY

The melon industry through Melons Australia has worked with Plant Health Australia (PHA), and State and Federal Government agencies to develop a comprehensive national approach to managing biosecurity risks in the melon industry.

The updated and reviewed Industry Biosecurity Plan for the Melon Industry, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was released in May 2020, and copies of the plan have been made available to all melon growers through the industry website www.melonsaustralia.org.au.

PEST CATEGORISATION

Of the eleven plant pests identified in the priority pest list of the reviewed Industry Biosecurity Plan, one has been categorised and is listed in schedule 13 of the Emergency Plant Pest Response Deed.

AND

Melons Australia commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either plant pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

NATIONAL DECISION MAKING PROCESSES/PLANTPLAN

Melons Australia has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government Parties to manage any agreed responses to an Emergency Plant Pest.

Melons Australia will ensure senior and qualified industry delegates are available to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and may engage with Local Control Centres or the State Coordination Centres, as appropriate. Melons Australia will also ensure all delegates participate in relevant training delivered through PHA's National Emergency Plant Pest Training Program.

Melons Australia is involved in promoting biosecurity within the melon industry, undertaking the Biosecuirty Incident Standard Operating Procedures workshop and a Biosecurity Implementation workshop in 2019.

## BIOSECURITY AWARENESS

The melon industry supports a Biosecurity Officer who works to increase on-farm biosecurity awareness.

**15.22**

# The Australian Olive Association Ltd Biosecurity Statement 2024

**The Australian Olive Association Ltd (AOA)** is a member industry of, and works closely with, **Plant Health Australia (PHA)** on industry biosecurity planning and implementation processes, fostering olive industry biosecurity threat awareness and preparedness, and industry response to incursions of exotic pests and diseases.
AOA is a signatory to the **Emergency Plant Pest Response Deed (EPPRD),** current version as of 15 May 2023 a government / industry cost sharing agreement that lies at the heart of the industry-government partnership arrangement for plant biosecurity and incursion management.
The AOA Board has received training on its responsibilities under the EPPRD and has participated in the recent review of the EPPRD.
The **National Management Group (NMG)** is responsible for making key decisions on national biosecurity policy and resourcing in a response to an Incident under the EPPRD. The NMG comprises representatives from all Affected Parties for a particular Biosecurity Incident, who are authorised to bind that Party under the EPPRD, and PHA. The Olive Industry representative on the NMG is the AOA CEO.
The **Consultative Committee on Emergency Plant Pests (CCEPP)** is Australia's key technical body for coordinating national responses to **Emergency Plant Pest (EPP)** incursions (around 5 per month) and assessing the technical feasibility for their eradication. AOA's representative on the CCEPP is the AOA CEO.
**PLANTPLAN (Australian Emergency Plant Pest Response Plan)**; current version as of 13 December 2022, is the agreed technical response plan used to respond to an emergency plant pest incident. It provides nationally consistent guidelines for response procedures under the Emergency Plant Pest Response Deed (EPPRD), outlining the phases of an incursion, as well as the key roles and responsibilities of industry and government during each of these phases. It incorporates best practice in emergency plant pest responses and is updated regularly to incorporate new information or address gaps identified by the outcomes of emergency plant pest incident reviews.

## 1. Biosecurity Plan and Farm Biosecurity Manual developments:

• *The Biosecurity Plan for the Olive Industry (OBP) Version 2.0 October 2016*

The Biosecurity Plan for the Olive Industry (OBP) Version 2.0 October 2016, outlines key threats to the industry, risk mitigation plans, identification and categorisation of exotic pests and contingency planning.
The OBP provides a framework for the olive industry, government and other relevant stakeholders to determine pests of highest priority, analyse the risks they pose, and put in place procedures to reduce the chance of pests becoming established, and minimise the impact if a pest incursion occurs.
**The OBP is scheduled to be reviewed and updated in the near future.**
Recommended Action when the OBP is reviewed:

- All current high priority olive pests categorised and listed in Schedule 13 (This process is set out in Clause 7.2)
- All other potential EPPs are identified and listed in Schedule 13

**On-Farm Biosecurity Action Plan for Olive Growers:**

• *Farm Biosecurity Action Plan for Olive Growers Version 2.0 December 2019*

Whilst on-farm biosecurity best practices play a pivotal role in maintaining Australia's reputation of producing high quality products and enabling producers to capitalise on this reputation and use it as a trade asset to gain leverage into global and local markets; perhaps more importantly good biosecurity practice underpins sustainable olive production. It is essential for olive producers to maintain well managed groves to minimise the threat of incursions of exotic pests and diseases. Additionally, biosecurity best practice can act as security against farm quarantine measures. Proper biosecurity signage; insect, weed and pest surveillance; and on-farm clean-down facilities are three commonly used farm biosecurity measures; these are now incorporated in the olive industry biosecurity best practice checklist:

***OliveCare*® Biosecurity Best Practice Checklist:**

Managing biosecurity risks to safeguard Australia's horticultural production from pest and disease incursions, and associated eradication / management costs:

☐ Prepare an on-farm biosecurity plan to identity and manage risks
☐ Plant / replant disease resistant olive cultivars and avoid planting in infected soils.
☐ Know your high priority biosecurity pests – induct your employees
☐ Monitor your grove regularly – report anything unusual to the exotic pest hotline (application of remote sensing)
☐ Implement good grove hygiene – keep it clean, removal or composting of pruning wood, disinfection of pruning tools
☐ Enforce visitor movement requirements – people and vehicles
☐ Use grove biosecurity signage
☐ Provide access to vehicle and fruit bin wash down facilities – arrive clean / leave clean
☐ Observe any quarantine restrictions on movement of olive fruit from designated zones

Note: OliveCare signatories collectively produce >85% of Australia EVOO.
As part of *OliveCare*® compliance requirements, all olive producer Signatories to the code of best practice are required to complete the following on-farm biosecurity preparedness declaration.

• *Declaration of on-farm biosecurity preparedness*

**OBP 2.0 Implementation Audit:**

In 2017 PHA proposed the following OBP implementation strategy, however without a specific budget allocation for implementation progress is limited.

- Formation of an olive biosecurity reference panel – not yet funded or implemented
- Categorisation of critical pests and diseases of olives – needs to be completed for olive moth
- Preparation of fact sheets on critical pests and diseases – this work has been completed with the exception of the excellent across industry work for Xylella, and a revised field guide for pests and diseases of olives including exotic pest and diseases threats through HIA Project:
    - OL17001 – An integrated pest and disease management extension program for the olive industry

- Significant pests and diseases of the olive tree fact sheets: https://australianolives.com.au/significant-pests-and-diseases-of-the-olive-tree/
- Xylella information and resources: https://australianolives.com.au/xylella-olive-quick-decline-syndrome-oqds-leaf-scorch-xylella-fastidiosa/• Preparation of fact sheets and videos on farm biosecurity practices – this work has progressed in house based utilising Farm Biosecurity materials:
- https://www.farmbiosecurity.com.au/

• On-farm biosecurity manual / website – a manual has been adapted from other horticulture industries - the manual and fact sheets are available on the AOA website:

- https://australianolives.com.au/wp-content/uploads/2018/12/Farm-Biosecurity-Action-Plan-for-Olive-Growers-Version-2.0-December-2019.pdf

• Integration of a biosecurity checklist and declaration into AOA's *OliveCare*® Code of Best Practice - implemented
• On-farm biosecurity planning training for industry participants – not yet implemented
• Deed training for the AOA Board - undertaken by PHA in 2017
• AOA board to complete on-line biosecurity training: **BOLT** PHA foundation course and National Emergency Plant Pest training courses – implemented in 2021/22
• Joint surveillance activity: AOA participates in the National Xylella program and the National Fruit Fly Strategy (WA includes *Bactrocera oleae* – need to confirm with other state jurisdictions)
• Contingency plans for olive fruit fly and olive moth - not yet funded or implemented
• Diagnostic protocols exist for *Bactrocera oleae, Xylella fastidiosa subsp. pauca and subsp. multiplex*, but not yet for *Prays oleae*, also need to discuss with SPHD to understand diagnostic capability for the relevant exotic defoliating strains of *Verticillium dahlia*
• Collaborative opportunity to work with cotton industry on *Verticillium dahlia* –exotic defoliating strains – preliminary discussions undertaken
• Emergency chemical permits – these will be applied for, if. and when an incursion has occurred (potential control agents / strategies need to be identified)
• Olive grove register using The Australian Tree Crop Industry Engagement Web App (University of New England and Applied Agricultural Remote Sensing Centre)

**High Priority Olive Pests and Diseases:**

The Biosecurity Plan for the Olive Industry identifies the following high priority exotic pests and diseases of olives in Australia, information on which is regularly distributed to olive producers:

• **Olive fruit fly** (*Bactrocera oleae*) – Exotic Regulated Pest - absent from Australia - Ref: https://fruitflyidentification.org.au/species/bactrocera-oleae/
• **Olive moth** (*Prays oleae*) - Not yet categorised as an EPP – Ref: https://www.planthealthaustralia.com.au/pests/olive-moth/
• **Olive quick decline** (*Xylella fastidiosa subsp. pauca* with vectors), and **Leaf scorch** (*Xylella fastidiosa subsp. multiplex* with vectors) - EPPRD Category 2– *Ref: https://www.planthealthaustralia.com.au/pests/xylella-fastidiosa/*
• **Verticillium wilt** (*Verticillium dahliae* –exotic defoliating strains) – EPPRD Category 3 - already in Australia on cotton, but not yet reported on olives – Ref: https://www.planthealthaustralia.com.au/pests/verticillium-wilt-defoliating-strain/

**Other Exotic Olive Pests & Diseases:**
The following are serious exotic pests and diseases of olives that have NOT yet been observed in Australia and need to be considered when the OBP is next reviewed:

• **Olive Bark Beetle** *Phloeotribus scarabaeoides* - endemic across the Mediterranean region, Africa, Central and South America, Europe and Northern Asia
• **Olive Brown Spot** (fruit rot, twig and branch dieback) *Camarosporium dalmaticum* - widespread in Southern Italy is associated with *Bactrocera oleae* activity, possibly with disbursal by an egg parasite

The following are other serious exotic pests and diseases of olives that have been observed in Australia but not yet seen on olives – also need to be considered when the OBP is next reviewed:

• **Canker/ Dieback** *Cytospora sorbicola* - reported on plum in Western Australia, but not yet seen on olives
• **General Olive Decline** *Neofusicoccum parvum* - reported on a broad range of hosts in Australia, but not yet seen on olives

**Further work is also needed on the development of olive grower fact sheets for the above exotic pests and diseases.**

**Biosecurity Awareness:**
AOA is involved in promoting biosecurity best practice within the olive industry via participation in various Plant Health Australia initiatives.
Information is shared with growers via AOA communication platforms, including websites, webinars and newsletters.
Industry biosecurity awareness and preparedness is now implemented through AOA's *OliveCare*® Code of Best Practice.
The AOA includes sessions on pests and diseases at National Olive Industry conferences and workshops/field days where applicable.
Growers have also received olive industry specific fact sheets on a range of issues including measures growers should take to protect their groves.

**Pest Reporting and Responses**:
AOA promotes through its communication platforms grower participation in an on-line short course focusing on a grower's role in reporting and responses.
A fact sheet summarising some of the key information from the course can be downloaded **here.**
AOA also promotes use of the **Exotic Plant Pest Hotline,** where olive growers suspect a new olive pest or disease.

**Key Biosecurity Risks for the Australian Olive Industry:**
- Movement of machinery and workers on and off groves eg Olive Lace Bug• Propagation and distribution of nursery stock without adopting adequate plant health protocols (especially for fungal and bacterial diseases) – this includes other host species that may be sourced by neighbours.
- Illegal importation of plant propagation material to gain an economic advantage
- Environmental impacts (drought/bushfires/climate change etc) moving pests into olive groves.

## 2. Changes in resource allocation for diagnostic protocol and contingency plan development:

No additional resource allocation currently available to the olive industry
**AOA is interested in discussing with PHA a biosecurity best practice implementation plan and potential funding sources.**

## 3. Engagement, training or certification of industry biosecurity officers:

Some AOA board members have completed the **BOLT** PHA foundation course and National Emergency Plant Pest training courses in 2021-2022. Remaining directors who have yet to complete the **BOLT** PHA foundation course and National Emergency Plant Pest training courses will be encouraged to do so.
The AOA Board and nominated state and regional representatives attended a National Xylella Preparedness Program Exercise for the Australian olive industry that was held in Devonport TAS in October 2022.

## 4. Any other investments to change levy arrangements, or improve biosecurity and preparedness within the Industry

The Australian Tree Crop Industry Engagement Web App (University of New England and Applied Agricultural Remote Sensing Centre) provides valuable data on the location of all olive groves (and other tree crops) in Australia.
An olive crop only App version has been loaded on the AOA website and olive growers are encouraged to check / comment on their grove entry details on the App.

The Australian Olive Association is in the process of developing a Framework for Owner Reimbursement Cost Determination with PHA for the Australian Olive industry.

**15.23**

# Biosecurity Statement for the Australian Processing Tomato Industry July 2024

The Australian Processing Tomato Research Council (APTRC - representing Australia's Processing Tomato Industry) is strongly committed to ensuring the industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on the industry's viability through domestic trade, regional and national economies, and the environment. The industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Australian tomato processors have a domestic market focus, and with an annual production of around 230,000 MT, the industry has a farm gate value of around $40M. The industry currently comprises seven growers, supplying two processors – Kagome and SPC. Production is centred across northern Victoria and in nearby locations in southern NSW, making a significant contribution to regional economies.

The Australian processing tomato industry remains strongly committed to protecting this high-value crop from biosecurity threats arising both locally and overseas. The industry collaborates with other industry groups and research institutions, as well as state and federal agencies, in achieving this objective. The industry is a strong contributor to the development of a National Biosecurity Plan for the Tomato Industry, and continually monitors threats through on-farm surveillance as well as regular contact with Australian regulatory authorities, researchers, and overseas contact networks.

**INDUSTRY BIOSECURITY PLAN FOR THE TOMATO INDUSTRY**

The Processing Tomato Industry is a sector of the wider Australian tomato industry, which also includes tomatoes grown for the fresh market. Through the APTRC, the industry continues to work with Plant Health Australia (PHA), and a range of government agencies [particularly the Victorian Department of Economic Development, Jobs, Transport and Resources and NSW Department of Primary Industries] to develop a comprehensive national approach to managing biosecurity risks that affect it].

The National Industry Biosecurity Plan for the Tomato Industry, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was released in December 2015. Copies of the plan have been made available to key industry representatives and stakeholders including growers, processors, researchers and service industry representatives. Work was expected to commence on a review of the National Tomato Industry Biosecurity Plan in 2023/24 as part of a multi-industry review as per discussions with PHA. This review is yet to begin.

The National Industry Biosecurity Plan is comprised of an introduction and four other key sections.

Under the Tomato Industry Biosecurity Plan, almost 300 exotic plant pests were identified as threats and, within the Threat Identification section of the plan, nine of these were singled out as high priority threats to the Processing Tomato Industry.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, and relevant counselling and financial counselling providers. These Contingency Plans underpin, and will be used in conjunction with, the general management structures of PLANTPLAN. Each Contingency Plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on pests, fact sheets have been or are being developed.

In addition, a national diagnostic protocol is being developed for Tomato Brown Rugose Fruit Virus (ToBRFV) and will form part of future biosecurity plans.

The APTRC will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan for the Tomato Industry.

**PEST CATEGORISATION**

Of the 9 pests identified in the high priority pest list for Processing Tomatoes within the National Industry Biosecurity Plan, 3 have been categorised and are listed in Schedule 15 of the Emergency Plant Pest Response Deed.

AND

The APTRC commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

The APTRC has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

The APTRC will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. The APTRC will also ensure all delegates participate in relevant competency and non-competency based training delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

**BIOSECURITY AWARENESS**

The APTRC has been involved in promoting biosecurity within the Processing Tomato industry through participation in Plant Health Australia's National Plant Health Awareness Campaign, and communication of plant health and biosecurity issues through newsletters, field days and at the annual industry forum.

A regular update on crop status, drawn from the observations of a network of commercial agronomists and processing field staff, is circulated electronically to growers during the season, providing information on pests and diseases to watch out for.

**OTHER ACTIVITIES**

The APTRC conducts a long-term project to ensure the industry is growing the latest and best cultivars, bred to incorporate resistance to pest and disease threats – both endemic and exotic. Through participation in the CCEPP, a watching brief is also maintained on current threats such as Guava Root Knot Nematode, Fall Army Worm, the Brown Marmorated Stink Bug, Tomato Brown Rugose Fruit Virus, Serpentine Leaf Miner and Tomato Yellow Leaf Curl Virus as well as Exotic Fruit Flies of the Torres Strait.

**15.24**

# Sweetpotato Industry Biosecurity Statement 2024

Prepared by Craig Henderson (*Principal Horticulturist, Henderson RDE*) and
Peter Long (*Executive Officer, ASPG*), August 2023

## 2. Background

Australian Sweetpotato Growers Incorporated (ASPG) is committed to ensuring the sweetpotato industry effectively reduces the potential for incursions of emergency plant pests and diseases, which could adversely impact productivity and farm profitability, domestic trade and market access, export development opportunities, food safety, public health, regional economies, and the Australian environment. The sweetpotato industry prioritises responses to any pest incursions that may occur, acting as rapidly and effectively as possible, to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

- Sweetpotatoes are available all year round in Australia, with total production around 91,000 tonnes, worth an estimated Farm Gate Gross Value of $70 million.
- Queensland is the biggest producer with over 90% of the area grown centred mainly on Bundaberg. The second major producing area is around Cudgen in northern New South Wales. Sweetpotatoes are also grown at Mareeba, Atherton, Rockhampton, and the Lockyer Valley (QLD), Murwillumbah (NSW), Perth, Carnarvon, and Kununurra (WA).
- The sweetpotato industry is a significant regional employer, providing work for 4000-5000 people in a normal year.
- The total number of commercial producers is estimated at 40. Farm size ranges from 10 to 450 hectares, with most producing in the range of 10-80 hectares of sweetpotatoes.
- The Australian industry is a world leader in technology development and yield. Most commercial growers purchase pathogen-tested planting material every year, delivering the highest global yields of 80 t/ha of marketable sweetpotatoes.
- All fresh market sweetpotatoes sold in Australia are grown in Australia. Processed foods (e.g. chips) are the only sweetpotato products imported into Australia.
- The processing volume has recently risen to approximately 15% with one national chip producer entering the market. Export is currently only 2% by volume.

## Biosecurity Plan – Sweetpotato Industry

The sweetpotato industry, through ASPG, works with Plant Health Australia (PHA), and State/Federal government agencies, to collaborate nationally in managing biosecurity risks in the sweetpotato industry.

The Sweetpotato Industry, in conjunction with PHA, completed a Sweetpotato Biosecurity Plan, funded via the Hort Innovation levy system.

The Sweetpotato Biosecurity Plan was finalised in mid-2019 and was consistent with PHA's *National Industry Biosecurity Planning Guidelines*. Yearly reviews were funded under the development project for the subsequent four years, the final one completed in November 2023.

The Sweetpotato Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section lists priority pests, developed through the identification, analysis and prioritisation of exotic pests and exotic pathogens. An initial review noted five High Priority Pests (one weevil, one virus, and three nematode species), to enhance focus on the key threats. Guava root-knot nematode (*Meloidogyne enterolobii*) was highlighted as the #1 threat, due to its likely persistence, impact on crop production, and management complexity. Unfortunately, *M. enterolobii* was confirmed as present in the Northern Territory and Queensland in late 2022. ASPG is actively engaged with other industries and State jurisdictions, to minimise risks of this nematode incursion spreading from known infected districts.

Within the Biosecurity Plan, the risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels, as well as management of research facilities, importation of germplasm, and plant multiplication pathways, to ensure the exclusion/management of serious plant pests.

Contingency plans and response management procedures sections provide key industry contacts and communication procedures, relevant counselling, and financial advice providers. These Contingency Plans underpin, and be used in conjunction with, the general management structures of PLANTPLAN. Future, prioritised contingency plans will include pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section details existing fact sheets or other sources of information for the identified high priority pests. Where no information is available on particular pests, fact sheets are developed.

ASPG will work with Plant Health Australia to support appropriate resourcing to the ongoing maintenance and reviews of the plan.

## National Decision-Making Processes/PLANTPLAN

ASPG has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties, to manage any agreed responses to an EPP.

ASPG will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group, and to take up roles in Local Control Centres, or the State Coordination Centres. ASPG will also ensure all delegates participate in relevant competency and non-competency-based training, delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program. The ASPG professional consultant delegated to represent ASPG in EPPRD activities has undertaken the necessary training.

## Owner Reimbursement Cost Framework

ASPG collaborated with PHA to develop a Sweetpotato Owner Reimbursement Cost framework for implementation in an applicable incursion. The initial framework was approved by industry, government and the PHA Board in July 2022, and prescribes evidence hierarchies. Next step is to ground truth yield estimation techniques, based on early assessments of root initiation. ASPG will also develop a system for cataloguing and updating industry yield, price, and production cost averages, for use in instances where owner data is unavailable.

## Biosecurity Awareness

ASPG promotes biosecurity within the sweetpotato industry, via participation in Plant Health Australia's National Plant Health Awareness Campaign. As part of its commitment to industry development, ASPG supports specific activities to enhance management of exotic or endemic pests and diseases through research, development, and extension projects. ASPG communicates with growers about biosecurity-relevant issues through workshops, field days, and email.

## Other Activities

ASPG, through Hort Innovation, and the Australian Centre for International Agricultural Research, as well as in-kind grower collaboration, is supporting research, development and extension projects investigating management of nematodes, soil insects, and diseases (fungal, bacterial, viral) in sweetpotatoes. Biosecurity-aligned activities withing these projects include virus/phytoplasma surveys in Australia and the Southwest Pacific, and development of diagnostic and management protocols for the previously mentioned pests.

## 15.25

Australian Table Grape Association - Biosecurity Statement July 2022

The Australian Table Grape Association is – like all the other signatories to the EPPRD – strongly committed to ensure that the Australian table grape industry is effective in reducing the potential for incursions of emergency plant pests and diseases which could adversely impact on domestic and international trade, market access and the environment. Fortunately, Australia remains free from most of the devastating grapevine diseases incl. *Xylella fastidiosa*, to date. Additionally, the national table grape industry is strongly committed to ensure that responses to any pest incursions that may occur, are undertaken as rapidly and effectively to minimise costs to their growers, their industry, other industries, government parties and the wider community.

The Australian table grape industry consists of about 900 table grape producers operating across Australia's mainland states and the Northern Territory. According to the Australian Horticulture Statistics Handbook 2020/21, the industry produced approximately 198,389 tonnes, valued at 632 million. In 2021, the table grape industry exported 120,725 tonnes, down from 150,180 tonnes in the previous year with a value of $460,7 million.

Victoria remains the largest producing state with 71% of production, NSW has 10%, whilst Queensland has 5%, West Australia 3%, SA 4% and NT produce under 1% each. The industry production declined in 2021 by 8% to 198,000 tonnes, with production values declining by 16% to $631.8m (Australian Horticulture Statistics Handbook 2020/21; accessed 15/.07/2021 - https://www.horticulture.com.au/contentassets/a68c8934a8bf40b4becdc487bacdb60f/hort-innovation-ahsh-20-21-fruit.pdf).

Industry Biosecurity Plan – The Viticulture Industry

In Australia, the viticulture industry is comprised of the Australian Table Grape Industry, Dried Fruits Australia, Australian Grape & Wine and Greenlife, representing the nursery and garden industry. As part of this industry, the Australian Table Grape Association has worked with Plant Health Australia (PHA) and a range of government agencies to develop and maintain a comprehensive national approach to managing biosecurity risks across the viticulture sectors. As part of this approach, the National Viticulture Industry Biosecurity Plan follows the Plant Health Australia template and is going to be reviewed annually to ensure the high priority list, established pests of biosecurity significance, the biosecurity implementation table and the preparedness status table are up to date.

The Australian Table Grape Association is committed to

- working with government parties to manage any agreed responses to an EPP using PLANTPLAN, the Australian Emergency Plant Pest Response Plan
- ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management group and to take up roles in the Local Pest Control Centres or the State Pest Control headquarters
- to use its best endeavours to ensure all delegates participate in relevant competency and non-competency training through the PHA national training program including training for industry liaison in an emergency response.

Biosecurity Awareness

The Australian Table Grape Industry has been involved in promoting biosecurity within the table grape industry via updates to industry through workshops, Pick of the Bunch (the industry's fortnightly email newsletter), the Vine Magazine (quarterly industry magazine), along with any specific or urgent updates provided via social media. Additionally, the Australian Table Grape Industry participates in events on biosecurity issues for the viticultural industry to ensure that the industry is informed and capable of making decisions quickly and effectively.

Other activities

The Australian Table Grape Association is working on a review of the high priority pest plants current Biosecurity Manual. Additionally, relevant Biosecurity Industry Standard Operating Procedures are reviewed and put in place. In conjunction with this, the Australian Table Grape Association will be reviewing the suitability and implementation of the framework involved in Owner Reimbursement Costs ensuring appropriateness for industry requirements. Currently, the Australian Table Grape Association is a member of PHA committees such as the Plant Industry Forum committee and other working groups.

Through Hort Innovation, using the table grape R&D levy, these biosecurity projects are underway:

- Review of the biosecurity plan and manual for the viticulture industries
- *Xylella* insect vectors
- Biosecurity preparedness through developing capacity for in-field detection of spotted wing drosophila
- Improving preparedness of the Australian horticultural sector to the threat potentially posed by Xylella fastidiosa (a severe biosecurity risk)

**15.26**

ATTIA www.attia.org.au Ltd
Australian Tea Tree Industry

promoting PURE AUSTRALIAN TEA TREE OIL

# Tea Tree Industry Biosecurity Statement

August 2024

## Background

The Australian Tea Tree Industry Association (ATTIA Ltd) is strongly committed to ensuring the tea tree industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on production of 100% pure Australian tea tree oil (TTO) which may affect domestic and export trade, market access, public health safety and the national environment. The tea tree industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian tea tree industry has the capacity to produce up to 1,200,000 kg of TTO annually and this is expected to grow significantly in the next decade. With 90% of all production exported to over 70 countries (source: ABS) the crop had an export value of AU$ 29 million in 2019/20, a significant decline from prior periods caused by drought, frost and bush fire events.

ATTIA Ltd members represent more than 90% of all TTO produced in Australia and most have in place a voluntary quality assurance system that includes integrated pest & disease management protocols.

## Industry Biosecurity Plan – Tea Tree Industry

The tea tree industry through ATTIA Ltd is working with Plant Health Australia (PHA), and a range of government agencies including DEEDI and NSW DPI to develop a comprehensive national approach to managing biosecurity risks in the tea tree industry.

ATTIA Ltd contracted PHA in December 2018 to develop and deliver a Biosecurity Plan for the tea tree industry by 30 September 2020.

A Tea Tree Industry National Biosecurity Plan, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, commenced in December 2017 and was delivered in December 2019, this will be finalised by 30 September 2020.

The National Biosecurity Plan comprises an executive summary and five key sections.

The Significant Biosecurity Threats section focuses on five key areas (high priority pests, implementation, threat identification, risk mitigation and response management) and identifies the components to be implemented over the life of the Biosecurity Plan 2019 - 2023

The Threat Identification and Pest Risk Assessments section includes a priority pest list, developed through the identification, analysis and prioritisation of exotic pests and pathogens.

The Risk Mitigation and Preparedness section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The awareness section identifies a range of new and existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been developed.

The contingency plans and procedures in the Response Management section detail key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin, and will be used in conjunction with, the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The National Biosecurity Plan for the tea tree industry also includes details of relevant information included in the plan that may increase preparedness.

In addition and where appropriate, national diagnostic protocols have be developed for priority exotic pests that are identified and will form part of future biosecurity plans.

ATTIA Ltd will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

## Pest Categorisation

ATTIA Ltd commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## National Decision Making Process and PLANTPLAN

ATTIA Ltd has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

ATTIA Ltd will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. ATTIA Ltd will also ensure all delegates participate in relevant competency and non-competency based training delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

## Biosecurity Awareness

ATTIA Ltd has not yet been involved in promoting biosecurity within the tea tree industry via participation in Plant Health Australia's National Plant Health Awareness Campaign. The incursion of Myrtle Rust (*Austropuccinia psidii*) in 2010/11 raised the awareness of the tea tree industry to the risk of exotic incursions and prompted steps that resulted in ATTIA Ltd joining PHA and participating in the EPPR Deed.

## Other Activities

1. As a direct result of the 2010/11 Myrtle Rust incursion ATTIA Ltd has, with matched financial support from AgriFutures Australia, identified control options for this pest and widely disseminated this information to producers through meetings and Newsletters. There is a page on the ATTIA website dedicated to this pest: http://www.teatree.org.au/myrtle_rust.php.

2. ATTIA has funded research into the genetics of *Melaleuca alternifolia* to identify strains that are resistant to *A. psidii* (see https://link.springer.com/article/10.1007/s10886-015-0628-0). This is now included as a selection criterion in ATTIA's Tea Tree Breeding Program that has been operating since 1991.
3. ATTIA has funded research into Elsinoë scab (*Elsinoë eelemani*), an indigenous fungus that causes scabby lesions to develop on infected Tea Tree (Melaleuca alternifolia) leaves and stems. The disease, Elsinoë scab, has been reported to occur in Tea Tree for more than 20 years. There is a page on the ATTIA website dedicated to this pest: https://teatree.org.au/elsinoe_scab.php.
4. In 2020 ATTIA, with financial support from AgriFutures Australia, instigated a full review of weeds in tea tree plantations including IPM and resistance strategies. This scoping study will conclude in August 2020 and will provide the industry with recommendations for weed management strategies as well as RD&E options to mitigate the impact of weeds in tea tree plantations.

A second scoping study targeting invertebrate pests and other diseases of *Melaleuca alternifolia,* including *A. psidii*, is due to commence in September 2020 with similar aims.

**15.28**

## Walnut Industry Biosecurity Statement August 2024

Australian Walnut Industry Association Inc is strongly committed to ensuring the Walnut Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade/international trade/market access/public health/food safety/regional and national economy/environment. The Walnut Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian Walnut Industry operates in most states of Australia and has grown significantly in recent years due to growth in the establishment of large-scale commercial plantings. Major walnut production areas in Australia are on the east coast of Tasmania, the Goulburn Valley near Shepparton and the Murray Irrigation area near Kerang and Swan Hill in Victoria and in the Riverina near Griffith in New South Wales.

Small scale orchards are scattered in the Ovens Valley, Gippsland and Central region of Victoria, Southern Highlands and Central Tablelands of New South Wales, the Adelaide Hills and Riverland regions of South Australia, and in south-west Western Australia.
The Australian industry is a mix of small, older orchards and new, more extensive orchards. Most orchards are family operations, but these do not represent the majority of area under cultivation.

The production of Australian Walnuts in 2023 was in excess of 8,000 tonnes in-shell, with a farm-gate value of $21 million and export value of $12 million. The 2023 crop was much lower than in previous year due to the wet conditions and the high levels of the endemic disease – Walnut Blight.

Just over 4,300 ha of mature and developing trees were under cultivation in 2023.

### INDUSTRY BIOSECURITY PLAN – WALNUT INDUSTRY

The Walnut Industry through the Australian Walnut Industry Association Inc has worked with Plant Health Australia (PHA), a range of government agencies including DAFF, NSW Department of Primary Industries, Agriculture Victoria and Primary Industries and Regions SA and the other nut industries of Almonds, Hazelnuts, Pistachios. Pecans, Chestnuts and Macadamias to develop a comprehensive national approach to managing biosecurity risks in the Walnut Industry.

The National Nut Industry Biosecurity Plan, consistent with PHA's National Industry Biosecurity Planning Guidelines, was officially published in January 2016 following endorsement by Government and Industry but it is currently being reviewed and reshaped and is due for finalisation in the second half of 2024.

Copies of the DRAFT document and the chestnut pest and disease lists plan have been made available to key industry representatives of the Australian Walnut Industry Association Inc Executive Committee for review and comment.

The National Nut Industry Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of four High Priority pests/diseases (4) and fifteen (15) Exotic pests/diseases

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been and will continue to be developed.

The National Nut Industry Biosecurity Plan for Walnuts does not include any other specific details.

In addition, no national diagnostic protocols have been developed.

Australian Walnut Industry Association Inc will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

## PEST CATEGORISATION

Of the nineteen (19) pests identified in the priority pest list of the National Nut Industry Biosecurity Plan, one (1) has been categorised and is listed in Schedule 13 of the Emergency Plant Pest Response Deed.

AND

Australian Walnut Industry Association Inc commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN

Australian Walnut Industry Association Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Australian Walnut Industry Association Inc will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres.

Australian Walnut Industry Association Inc will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

**BIOSECURITY AWARENESS**

Australian Walnut Industry Association Inc has been involved in promoting biosecurity within the Walnut Industry through the involvement with the Khapra Beetle incursions and eradication programs and the Polyphagous shot-hole borer incident and Response Plan.

Australian Walnut Industry Association Inc maintains a Biosecurity section on the industry website.

In addition, Australian Walnut Industry Association Inc prepares and supplies to members a range of pest and disease and orchard sanitation technical sheets.

**OTHER ACTIVITIES**

Australian Walnut Industry Association Inc has employed an Industry Development Officer and one of the roles is to undertake biosecurity activities including: -

a) Representation of Australian Walnut Industry Association Inc at relevant Plant Health Australia meetings,
b) Representation of Australian Walnut Industry Association Inc at relevant CCEPP and NMG meetings,
c) Representation of Australian Walnut Industry Association Inc at relevant National and State Biosecurity Roundtables and Exercises.
d) Prepared and distributed an On-Farm Biosecurity Planner
e) Ongoing review the pest list within the Nut Industry Biosecurity Plan.
f)

The position of the Industry Development Officer is funded through general revenue of Australian Walnut Industry Association Inc.

**15.29**

**Vegetable and Potato Industries Biosecurity Statement**
**September 2023**

AUSVEG is strongly committed to ensuring the vegetable and potato industries effectively reduce the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade, international trade, market access, and the environment.

The vegetable and potato industries are also strongly committed to ensuring responses to any pest incursions that may occur, are undertaken as rapidly and effectively as possible to minimise costs to growing businesses, the industry, other plant industries, government parties and the wider community.

The vegetable and potato industries make a sizeable contribution to the Australian Economy. Combined they represent one of the largest horticultural industries with an estimated total value of production of more than $5.5 million. A strong biosecurity system is important to the industries' continued success.

**BIOSECURITY PLAN – VEGETABLE AND POTATO INDUSTRY**

The vegetable and potato industries, through AUSVEG as the national peak industry body, are working with Plant Health Australia (PHA), Hort Innovation, private industry and a range of government agencies to develop a comprehensive national approach to managing biosecurity.

The *Vegetable* Biosecurity Plan, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was officially published on January 2021 following endorsement by Government and Industry. The potato industry biosecurity plan was published in February 2019. Copies of the plan have been made available to key industry representatives. A review of the Industry Biosecurity Plans is expected to commence

in 2024. Work on the updates will be consistent with PHA's *National Industry Biosecurity Planning Guidelines*.

The National Vegetable Industry and Potato Industry Biosecurity Plans contain a threat identification section with priority pest lists, developed through the identification, analysis and prioritisation of exotic pests and exotic pathogens.

Updates to the Industry Biosecurity Plans consider information regarding the biology of individual priority pests, potential hosts, overseas distribution, symptoms, entry/establishment/spread potential and likely economic and environmental impacts of the pest.

The risk mitigation sections outline a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures sections detail key industry contacts and communication procedures, relevant counselling and financial counselling providers. PLANTPLAN, which provides a description of the general procedures, management structure and information flow system for the handling of a plant pest emergency at national, state/territory and district levels, is also included in this section.

The Vegetable and Potato Industry Biosecurity Plans link to a number of threat specific contingency plans available online and AUSVEG will work with PHA to provide direction and feedback, to ensure that the biosecurity plan is updated in accordance with an appropriate and comprehensive review by the industry.

**PEST CATEGORISATION**

AUSVEG commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

AUSVEG has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

AUSVEG will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control

Centres or the State Coordination Centres. AUSVEG will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

**BIOSECURITY AWARENESS**

AUSVEG has been involved in promoting biosecurity within the vegetable and potato industries through the Vegetable and Potato Farm Biosecurity Program that it provides in conjunction with Plant Health Australia. From September 2023 AUSVEG will also lead a VG22004 - Vegetable industry biosecurity and business continuity strategy, a project funded through Hort Innovation. This project brings together biosecurity RD&E expertise and industry to deliver a framework approach to ensure that the vegetable industry is more prepared in the face of increased biosecurity threats and ready to respond to new pest incursions when they arrive to enable business continuity. The project partners with state jurisdictions and private industry.

AUSVEG hold regular meetings with DAWE, a range of other Government departments, our state member bodies and PHA to ensure that the industry is informed and capable of making decisions quickly and effectively.

Through the industries' publications and through weekly updates to the industry, workshops, and online, AUSVEG ensures that growers and key industry stakeholders are well briefed on biosecurity matters affecting them, as well as any plant health related issues on the national agenda.

AUSVEG regularly publicises any plant health related events that may be of particular benefit to the broader industry and participates in stakeholder consultations with PHA and other Government bodies on a regular basis to ensure it is involved and engaged on the key issues affecting the vegetable and potato industries when it comes to biosecurity and plant health.

We are committed to promoting awareness of biosecurity and biosecurity planning processes through all relevant programs operated by AUSVEG as well as promoting biosecurity best practice through all AUSVEG communication and engagement channels.

**15.30**

## Avocado Industry Biosecurity Statement

July 2024

Avocados Australia Limited is strongly committed to ensuring the avocado industry plays its part to effectively reduce the potential impact of incursions of emergency plant pests and diseases that could adversely impact on domestic and international trade, regional and national economies and the environment. The avocado industry is also strongly committed to ensuring responses to any pest incursions that may occur are implemented as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Avocados are grown in all states of Australia from far north Queensland to the south-west of Western Australia. It is a growing industry which has increased steadily in volume and value with 115,385 tonnes produced in 2022/23 with a farm gate value of approximately $522 million. In 2022/23 Australia exported 10,672 tonnes, which is 9.25% of total volume produced in Australia. Exporting is expected to increase.

### INDUSTRY BIOSECURITY PLAN – AVOCADO INDUSTRY

The avocado industry through Avocados Australia Limited, with the support of Hort Innovation, continues to work with Plant Health Australia (PHA) and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks in the avocado industry.

The Avocado National Industry Biosecurity Plan (version 3.0), consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was released in February 2020 and copies of the plan have been made available to key industry representatives.

Biosecurity for the Australian avocado industry focuses on five key areas to identify the components to be implemented through the life of the biosecurity plan (2019-2024). These five areas are:

- high priority exotic pests and established pests of biosecurity significance
- implementing biosecurity for the Australian avocado industry
- threat identification and pest risk assessments
- risk mitigation and preparedness
- response management.

A key outcome of this biosecurity plan is the identification of the **exotic high priority pests (HPP), and established pests** of biosecurity significance for the Australian

avocado industry. The exotic HPP list and established pests of biosecurity significance will allow industry and government to better prioritise preparedness activities and will assist in the implementation of effective grower and community awareness campaigns, targeted biosecurity education and training programs for growers, development of surveillance programs, diagnostic protocols as well as development of pest-specific mitigation activity.

It is intended the **biosecurity implementation plan** is revisited by the Biosecurity Reference Panel regularly over the five-year period to maintain its relevance.

The plan also provides guidelines for the **identification and ranking of biosecurity threats** through a process of qualitative risk assessment. The primary goal is to coordinate identification of exotic pest threats that could impact productivity, or marketability.

A summary of activities to **mitigate the impact** of pest threats on the Australian avocado industry, along with a set of guidelines for managing risk at all operation levels has been provided. Many pre-emptive practices can be adopted by plant industries and government agencies to reduce risks.

The plan also provides a summary of the **processes in place to respond** to emergency plant pest incursions.

Avocados Australia Limited works with Plant Health Australia, providing appropriate resources to the ongoing maintenance and reviews of the plan and has demonstrated this ongoing commitment through investment in the establishment of a Hort Innovation 5 year *Avocado Biosecurity Strategy* project (AV21002) including Plant Health Australia as a key partner.

## PEST CATEGORISATION

Of the pests identified in the priority pest list of the National Industry Biosecurity Plan, 3 have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed: Sudden Oak Death (*Phytophthora ramorum*), Oriental fruit fly (*Bactrocera dorsalis* syn. *B. invadens, B. papaya, B philippiensis*), and *Xylella fastidiosa* (including *X. fastidiosa* subsp. *Multiplex* and *pauca)*.

## NATIONAL DECISION MAKING PROCESSES/PLANTPLAN

Avocados Australia Limited has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Avocados Australia Limited will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in

Local Control Centres or the State Coordination Centres. Avocados Australia Limited will also ensure all delegates participate in relevant competency and non-competency-based training delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

## OTHER ACTIVITIES

In 2021, Avocados Australia signed a new Memorandum of Understanding with Plant Health Australia. The MOU established a mechanism for the consultation, management and implementation of services and activities to improve biosecurity for the avocado industry.

Avocados Australia regularly extends relevant biosecurity information to industry via its communication channels, including the quarterly *Talking Avocados*, magazine, the fortnightly *Guacamole* newsletter, and the well-respected Avocados Australia Best Practice Resource (*www.avocado.org.au/bpr/*).

Through Hort Innovation, using the avocado R&D levy, several biosecurity relevant projects are underway including:

- *Avocado Biosecurity Strategy* (AV21002). Lead by Avocados Australia, this investment aims to: 1) Improve avocado industry biosecurity resilience through the development and delivery of foundational exotic pest preparedness documents supported by exotic pest incursion and response exercises, 2) Better understand the risk posed to the avocado industry from exotic pests by identifying current gaps in pest risk assessments, pathway analyses and diagnostic capability, 3) Increase the uptake of appropriate on-farm biosecurity practices by identifying and addressing barriers to adoption. Due for completion: In 2027.
- *Avocado industry biosecurity capacity and capability building: phase II* (AV21003a). This investment is bolstering biosecurity for the Australian avocado industry by monitoring and delivering new diagnostic protocols for key threats. By limiting the introduction or spread of new pests and pathogens, this project contributes to creating a sustainable avocado industry that can also use its' enhanced knowledge of the endemic pests and pathogens to promote trade access overseas. Due for completion: In May 2025.
- *Environmental DNA technologies for rapid detection and identification of avocado priority pests* (AV21003b). This investment is developing environmental DNA (eDNA) technologies for the rapid detection and identification of priority pests for the avocado industry. Innovation in field and lab-based testing techniques will improve the ability of the avocado industry, and those undertaking surveillance activities, to quickly and accurately identify

pest incursion threats in a cost-effective manner. Due for completion: In March 2025.

There are also various other projects that have been supported by the Hort Innovation Avocado Fund, including: supporting the *Xylella* coordinator and preparedness research and improving productivity through disease management (completed projects), and the National Bee Pest Surveillance Program.

Hort Innovation is the grower-owned, not-for-profit research and development corporation for Australian horticulture.

**15.31**

**Canned Fruits Industry Council of Australia Biosecurity Statement**
**August 2024**

Canned Fruits Industry Council of Australia (CFICA) is strongly committed to ensuring the Canned Fruit Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade, international trade, market access, public health, food safety, regional and national economy, and environment. The Canned Fruit Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Canned Fruits Industry comprises of approximately 100 growers based predominately in the Goulburn Valley growing region in Victoria. On average the Canned Fruit Industry grows 80,000 tonnes of fresh produce to be consumed through the canned fruit sector. The fresh produce has a farm gate value of $21 million for the 2021/2022 season. With Peaches and Apricots comprising the largest value at $12 million.

The Canned Fruits Industry Council of Australia has a voluntary levy set at $1.05 per net tonne of fruit delivered raising approximately $30,000 per annum which is currently being invested into response contributions such as Torres Strait Fruit Fly and Varroa Mite.

**BIOSECURITY PLAN – Canned Fruits Industry Council of Australia**

The Canned Fruit Industry through the Canned Fruits Industry Council of Australia has worked with Plant Health Australia (PHA), and State and Federal governments to develop a comprehensive national approach to managing biosecurity risks in the Canned Fruit Industry.

The Canned Fruit Industry represents crops included in the Biosecurity Plans for the Apple and Pear industry and the Summerfruit Industry. Copies of these plans have

been made available to key industry representatives in both hard copies and through the PHA website www.planthealthaustralia.com.au. The Canned Fruit Industry Council will contribute to planned reviews of these Biosecurity Plans.

**PEST CATEGORISATION**

Of the fifty (50) pests identified in the priority pest list of the Plant Health Australia guidelines that affect the Canned Fruit Industry, seven (7) have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed.

AND

Canned Fruits Industry Council of Australia commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

Canned Fruits Industry Council of Australia has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Canned Fruits Industry Council of Australia will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. Canned Fruits Industry Council of Australia will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

**BIOSECURITY AWARENESS**

Canned Fruits Industry Council of Australia has been involved in promoting biosecurity within the Canned Fruit industry through presentations on plant health and biosecurity issues at related industry newsletters and events. The Canned Fruits Industry Council of Australia also supports the use of a biosecurity officer to increase the awareness of biosecurity issues.

**15.33**

**Chestnut Industry Biosecurity Statement** **August 2024**

Chestnut Australia Inc is strongly committed to ensuring the Chestnut Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade/international trade/market access/public health/food safety/regional and national economy/environment. The Chestnut Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian Chestnut industry operates principally in the southern states of Australia, including NSW, Tasmania and Victoria, plus southern areas of SA and the south western area of WA. Approximately 70 per cent of the national crop is grown in North East Victoria. The main varieties grown are Red Spanish, Purtons Pride and De Coppi Marone. Chestnuts flower during November and December and are harvested from March through to May. In 2023 there were around 1,480 ha containing approximately 400,000 trees with production estimated to be 1,255 tonnes. Increases will occur in coming years due to the expansion in plantings. The industry is primarily focused on the domestic market with approximately 2 per cent exported mainly to Asian markets.

**INDUSTRY BIOSECURITY PLAN – CHESTNUT INDUSTRY**

The Chestnut Industry through Chestnuts Australia Inc has worked with Plant Health Australia (PHA), a range of government agencies including DAFF, NSW Department of Primary Industries, Agriculture Victoria and Primary Industries and Regions SA and the other nut industries of Almonds, Pistachios, Walnuts. Pecans, Hazelnuts and Macadamias to develop a comprehensive national approach to managing biosecurity risks in the Chestnut Industry

The National Nut Industry Biosecurity Plan, consistent with PHA's National Industry Biosecurity Planning Guidelines, was officially published in January 2016 following endorsement by Government and Industry but it is currently being reviewed and reshaped and is due for finalisation in the second half of 2024.

Copies of the DRAFT document and the chestnut pest and disease lists plan have been made available to key industry representatives of the Chestnut Australia Inc Executive Committee for review and comment.

The National Nut Industry Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section, from the new DRAFT document, has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of six (6) High Priority pests/diseases and thirty-eight (38) Exotic Pests/Diseases to Monitor.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been and will continue to be developed.

The National Nut Industry Biosecurity Plan for Chestnuts does not include any other specific details.

In addition, one (1) national diagnostic protocol has been/are being developed for Chestnut Blight and will form part of future biosecurity plans.

Chestnuts Australia Inc will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

Of the forty-four (44) pests identified in the priority pest list of the National Nut Industry Biosecurity Plan, one (1) has been categorised and is listed in Schedule 13 of the Emergency Plant Pest Response Deed.

AND

Chestnuts Australia Inc commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts

**NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN**

Chestnuts Australia Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Chestnuts Australia Inc will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. Chestnuts Australia Inc will also ensure all

delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program

**BIOSECURITY AWARENESS**

Chestnuts Australia Inc has been involved in promoting biosecurity within the Chestnut industry through the involvement with the Chestnut Blight incursion and subsequent Eradication Program, Transition to Management Program and the Industry Management Program.

Chestnuts Australia Inc maintains a Biosecurity section on the industry website.In addition, Chestnuts Australia Inc prepares and supplies to members a range of pest and disease and orchard sanitation technical sheets.

**OTHER ACTIVITIES**

Chestnuts Australia Inc has employed an Industry Development Officer and one of the roles is to undertake biosecurity activities including: -

a) Representation of Chestnuts Australia Inc at relevant Plant Health Australia meetings,

b) Prepare a draft On-Farm Biosecurity Planner

c) Ongoing review the pest list within the Nut Industry Biosecurity Plan.

d) The industry 'front-line' representative with the Chestnut Blight Response Plan activities

The position of the Industry Development Officer is funded through general revenue of Chestnuts Australia Inc.

Chestnuts Australia Inc has engaged a Biosecurity/Surveillance Officer to assist and drive the Industry/Agriculture Victoria Chestnut Blight management program but then to continue as a medium-term resource for the Australian Chestnut Industry.

The broad roles of the Chestnut Industry Biosecurity Officer are as follows: -

- Effectively deploy the tools and information already developed through the Transition to Management program to assist growers.
- Provide on farm biosecurity training to all growers enabling effective management of pests and diseases.
- Support and position the industry and its growers to transition from government to industry leadership of chestnut blight management (in line with agreed national biosecurity policy).

Over the past three years the Chestnut Biosecurity Officer and the team of surveillance personnel have inspected over 160,000 chestnut trees for Chestnut Blight in an endeavour to delineate the disease and identify and remove infected trees.
All of the inspection/surveillance data has been added to AUSPestCheck®.

**15.34**

# Industry Biosecurity Statement August 2020

## Introduction

Citrus Australia is the national Peak Industry Body for the citrus industry. Citrus Australia is member owned company limited by guarantee, governed by a skills-based Board and supported by a staff of eleven passionate employees.

Citrus Australia is strongly committed to ensuring the citrus industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade and international trade, market access, regional and national economy, and the environment. The citrus industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Citrus is grown in all Australian mainland states and the Northern Territory with 27,000 Hectares of citrus planted by 1,500 producers, the citrus industry is a major contributor to regional economies. The five year average annual production is approximately 750,000 tonnes, in 2019 the crop value was $AU1 billion, around 40% (304,000 tonnes) of production was exported with a value of $AU 541 million.

Citrus is widely grown in home gardens and biosecurity preparedness includes consideration of urban and peri-urban citrus plantings.

Citrus Australia has established a Citrus Pest and Disease Prevention Committee comprised of industry and agency members to facilitate new directions and initiatives to improve and protect the industry from exotic pest incursions and the spread of endemic pest and diseases considered of commercial importance by industry. The Committee is encouraged to challenge industry biosecurity preparedness activities with a view to constant improvement of preparedness on farm and at a state and federal government level.

## Industry Biosecurity Plan – Citrus Industry

The citrus industry through Citrus Australia has worked with Plant Health Australia (PHA), and a range of government agencies including DAWE, QDAF, NSW Department of Primary Industries, Agriculture Victoria, PIRSA/SARDI, DPIRD, and Northern Territory DPI to develop a comprehensive national approach to managing biosecurity risks in the citrus industry.

The National Industry Biosecurity Plan for the Citrus Industry, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was officially published on19th of April 2004, following endorsement by Government and industry.

Copies of the plan have been made available to key industry representatives, the Citrus Australia Board, and to members of the Citrus Pest and Disease Prevention Committee. The current version of the National Industry Biosecurity Plan for the Citrus Industry is 3.0 July

2015. Work is expected to commence on a review of the National Citrus Industry Biosecurity Plan in 2021.

The plan is available on the Citrus Australia website https://citrusaustralia.com.au/.

The National Industry Biosecurity Plan comprises of an executive summary, an introduction explaining roles, processes, the citrus industry, the EPPRD, and an overview. There are key areas including threat identification, pest risk assessments, and categorisation.

A comprehensive list of 145 citrus industry threats is detailed in Appendix 1, *(tables 21 citrus invertebrate threat summary table and 22 citrus pathogen and nematode threat summary table)* of the plan.

The priority pest list contains 21 high priority plant pest threats, 6 bacteria, 9 fruit flies, 6 other insects, and 2 viruses *(table 6 citrus Industry high priority plant pest threat list).*

Twelve citrus EPPs have been formally categorised, *(table 9 formal categories for pests of the citrus industry biosecurity as listed in the EPPRD as at August 4th 2014).*

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property/nursery levels to ensure the exclusion/management of serious plant pests.

A range of existing fact sheets or other sources of information for the high priority pests is identified in the risk mitigation plan.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. Some details require updating when the plan is reviewed, Citrus Australia has current contact details.

These Contingency Plans underpin, and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

Citrus Australia maintains a matrix of Contingency Plans, National Diagnostic Protocols, and Fact Sheets for identified Citrus EPPs including international plans, protocols and other resources to assist the Consultative Committee on Emergency Plant Pests decision making in the event of an incursion.

Citrus Australia also maintain a database of national citrus plantings.

Citrus Australia will continue to work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

### Pest Categorisation

Of the 21 pests identified as high priority plant pest pests in the Industry Biosecurity Plan, 12 have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed. Citrus Australia commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

### National Decision Making Processes/Plantplan

Citrus Australia has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Citrus Australia will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. Citrus Australia will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

### Biosecurity Awareness

Citrus Australia has been involved in promoting biosecurity within the citrus industry and have distributed and promoted the Biosecurity Manual for Citrus Producers, Plant Health Australia *(Version 2.0 December 2014)* through national and regional forums and workshops. The manual contains an overview of biosecurity, fact sheets to identify the high priority pests of a crop, tips on crop management, and how to manage people, vehicles and equipment to minimise biosecurity risks. It also contains a biosecurity self-assessment list, and templates to record pest surveillance records and visitors.

Biosecurity information is also distributed through the industry newsletter Australian Citrus News, the Citrus Australia web page, and social media.

The April 2018 outbreak of citrus canker in Darwin and subsequently in northern Western Australia has increased biosecurity awareness and preparedness in the citrus industry.

The citrus industry believes its major threat is Huanglongbing (HLB) and its psyllid vectors, the Asian Citrus Psyllid *Diaphorina citri,* and the African Citrus Psyllid *Trioza erytreae* and much effort has been put into raising awareness of the threat. A study tour was organised to attend the VI International HLB conference in Riverside California in March 2019 and subsequent industry visits in Florida and California to see the pests, its impacts, and strategies to manage it firsthand. The tour was supported with funding from Hort Innovation Project CT 18003.

## Other Activities

A National Citrus Surveillance Coordinator was appointed in August 2018 with funding from Plant Health Australia, Hort Innovation, and the Federal Government White Paper.

The coordinators actions have included

- Reinvigorating the First Detector Network of industry and agency people regularly in citrus orchards and providing information on exotic pests and how to report them
- Having key exotic pest threats included in the surveillance protocols for export markets
- Developing an industry led surveillance program for Asian Citrus Psyllid, initially in orchards but subsequently extended to nursery and peri-urban locations.
- Collaboration with the Agvic Urban Plant Health Network, a web based tool for engaging urban home gardeners
- Developing links to TPP surveillance programs
- Participation in the development of the Tropical Plant Industries Biosecurity Strategy and Implementation Plan
- Participation in the Huanglongbing (HLB) Task Force

Citrus Australian and Plant Health Australia are currently negotiating an MOU to manage the PHA citrus levy through projects with activity focused on delivering biosecurity outcomes for the citrus industry.

**15.35**

# COTTON INDUSTRY BIOSECURITY STATEMENT

**July 2024**

## Introduction

Cotton Australia recognises the need for the cotton industry to work with the federal, state and territory governments to help reduce the potential for incursions of emergency plant pests that could adversely impact on production, domestic and international trade and the regional economy and environment.

The cotton industry is committed to ensuring effective responses to pest incursions are possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The cotton industry through Cotton Australia is working with Plant Health Australia (PHA) to develop a comprehensive national approach to managing biosecurity risks in the cotton industry. Valuable assistance is received from researchers and staff from CSIRO, NSW Department of Primary Industries (NSW DPI), Queensland Department of Agriculture and Fisheries (DAF), Biosecurity Queensland, Cotton Research and Development Corporation (CRDC), Cotton Seed Distributors (CSD), the Australian Government Department of Agriculture and Water Resources and several universities.

## Commitments under the Emergency Plant Pest Response Deed

### 1. Cotton Industry Biosecurity Plan

The National Cotton Industry Biosecurity Plan, consistent with PHA's National Industry Biosecurity Planning Guidelines, was launched in 2006 and has been regularly updated with the current version (Version 4.0) available on the Cotton Australia website.

Version 1: November 2006

Version 2: February 2010

Version 3: March 2015

Version 4: October 2023

The biosecurity plan identifies and prioritises the cotton industries biosecurity risks and provides a framework for risk mitigation and preparedness activities. The awareness section identifies a range of existing industry processes, fact sheets and other sources of information for the identified 10 High Priority Pests (HPPs) that can be used to promote biosecurity awareness throughout the industry. The cotton Industry Biosecurity Group meets annually to maintain currency of issues, review pest threats, identify biosecurity research and preparedness gaps, and provide oversight of industry implementation and adoption of biosecurity strategies as identified in the IBP.

**2. Pest categorisation**

Cotton Australia will, as far as it is within its power to do so, ensure that appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts. Cotton Australia has participated in all relevant categorisation group meetings. Currently, seven cotton industry identified Emergency Plant Pests have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed.

**3. National decision-making processes**

Cotton Australia will endeavour to ensure that senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters in the event of an incursion. Cotton Australia will also endeavour to ensure that all delegates participate in relevant competency and non-competency based training, which is being delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

**4. Owner Reimbursement Costs**

In association with Plant Health Australia, Cotton Australia developed the cotton Owner Reimbursement Cost (ORC) framework. This framework has been endorsed by the Cotton Australia Board, the PHA Board and Relevant Parties to the Emergency Plant Pest Response Deed (EPPRD) and is available on the PHA website.

## On-farm biosecurity

**Best management practice program**

The cotton Best Management Practices program (*my*BMP) is the core platform for delivery of best practice across the Australian Cotton Industry. The *my*BMP program includes a farm biosecurity module. This module is designed to assist growers in protecting their farm from the introduction of endemic and exotic pests, and to help minimise the spread of pests throughout the industry. Practices to create awareness, documenting biosecurity risks and the process for reporting a suspected incursion are also outlined.

The biosecurity module for MyBMP is reviewed annually. Revisions reflect the responsibilities growers have under changed biosecurity legislation (including General Biosecurity Obligation and General Biosecurity Duty) and best practices. The module provides linkages to resources available on other websites including the industry's extension program, CottonInfo, and the PHA/AHA, Farm Biosecurity website. Further to this, links have been added to guide growers to Northern Territory and Western Australia biosecurity resources in recognition of the developing industry in Northern Australia.

**Biosecurity Extension and Training**

The Australian Cotton Industry's CottonInfo team play a key role in the development and delivery of research extension resources. The CottonInfo team includes a Biosecurity Tech Lead to help coordinate industry biosecurity extension. CottonInfo have delivered eight farm biosecurity planning workshops to help build cotton growers' capabilities in identifying and assessing biosecurity risks, implementing biosecurity practices, and developing farm biosecurity plans. 46 growers from 41 enterprises have attended the workshops, capturing nearly 200,000 hectares of cropping land. Further workshops are planned for the remainder of the year. These workshops have supported the broader adoption of biosecurity plans within the industry, with 52% of Australian cotton growers having a farm biosecurity plan.

Additional training activities underway in 2024, include:

1. Grower workshop to increase biosecurity awareness and preparedness with growers and industry personnel.
2. Increased Industry Liaison Officer (ILO) capacity with specific training planned for industry personnel such as Cotton Australia and CottonInfo staff.
3. Biosecurity campaign focused on the importance of reporting unusual symptoms at the 2024 Australian Cotton Conference, Gold Coast.

## Research and development

**Enhanced cotton biosecurity R&D capacity**

Cotton Australia is the [PIRD Act 1989] representative organisation for the cotton industry to the Cotton Research and Development Corporation (CRDC) and as such, has a strong role in advising industry priorities for the Corporation's R&D budget. Cotton Australia is committed to supporting proposed projects that enhance our industry's biosecurity expertise and response preparedness.

CRDC, along with other plant-based RDCs, have continued their partnership with Plant Health Australia, and the Department of Agriculture in the Plant Biosecurity Research Initiative (PBRI). The aim of this collaboration is to coordinate biosecurity research and increase collaboration. This is demonstrated in high number of collaborative projects above.

Capacity to respond to exotic pests is supported through the inclusion of biosecurity milestones for researchers monitoring and research of endemic pests and diseases. Biosecurity research and diagnostic capacity for cotton have also been leveraged through a number of scientific

exchanges. For example, in early 2019 CRDC, through partnership with US CottonInc, supported cotton pathologist, Linda Smith, QDAF, and virologist, Murray Sharman to travel to the US to participate in meetings following the confirmation of an incursion of Cotton leaf roll dwarf virus (also HPP for Australia). CRDC will also be providing support for a student from US to conduct disease research in Australia.

Recent enhancement of biosecurity capacity, capability and preparedness have been delivered by a variety of research projects which notably includes:

- CRDC is a participant in a collaborative project, *Digital technologies for dynamic management of disease, stress and yield* led by Wine Australia, with funding from the Australian Government Department of Agriculture and Water Resources as part of its Rural R&D for Profit programme. The project includes developing a molecular tool for quantifying Australian strains of *Verticillium dahliae* in soil and developing improved disease management recommendations from improved analysis of historical and current disease surveys. These surveys also provide proof of absence for HPP exotic diseases.
- CRDC is a participant in a collaborative project *Improving Plant Pest Management Through Cross Industry Deployment of Smart Sensor, Diagnostic and Forecasting* led by Horticulture Innovation Australia, with funding from the Australian Government Department of Agriculture and Water Resources as part of its Rural R&D for Profit programme. This project should deliver an advanced plant pest surveillance network which will monitor and report on endemic and exotic threats to major primary production industries, including grains, cotton, horticulture, wine and forestry.
- Through the CRDC funded project with QDAF, *'Surveillance and studies for endemic and exotic virus diseases of cotton'* the industry has forged stronger connectivity between the cotton industry and surveillance activities in northern Australia by Northern Australian Quarantine Strategy (NAQS, Department of Agriculture and Water Resources). This has led to greater understanding about the diversity of cotton leaf roll virus particularly in near neighbour regions such as Timor Leste and the risk to Australian cotton in terms of resistance breaking strains. This project is also responsible for viral surveys for major cotton growing regions.
- A UQ PhD, *Biology of Amarathus hybridus, A. mitchelli, and A. powelii: emerging weeds of cotton systems*, seeks to understand endemic Amaranthus in cotton regions, in preparation for an incursion of Palmer amaranth, a biosecurity threat because of its resistance to multiple herbicide mode of action groups and significant impact on cotton farming systems in the US.
- CRDC has partnered with Horticulture Innovation Australia on a UQ lead project *Novel topical vegetable and cotton virus protection with BioClay*. This project aims to minimise the economic impact of pest infestation on vegetables and on cotton through the development of an innovative topical protection medium, BioClay. The high-tech BioClay spray uses nanotechnology to deliver double-stranded RNA, which is anticipated to prime the plant's own defences, similar to

the way a vaccine works, and helping the plant to naturally attack specific crop pests and pathogens. A key target in this project is to investigate how this type of technology could support the cotton industry to minimise the impact of exotic viruses, particularly cotton leaf curl virus. Cotton leaf curl virus is a major threat, as Australian varieties are highly susceptible and the whitefly vector is already widespread.

- The potential emerging cotton industry in Northern Australia is supported through the CRDC supported project *Science leadership for cotton development in Northern Australia*, led by CSIRO. This project coordinate activities, including extension of past research while providing technical support to new and recent commercial cotton investments in tropical Australia. Through QDAF collaboration the project is also providing assessment and support for crop protection risks unique to Northern systems such as *Spodoptera litura* and conducting advice and monitoring to reduce the risk of Northern pests such as pink boll worm establishing in Eastern cotton regions.

**Pest Surveillance**

Numerous pest surveys and crop monitoring activities are undertaken each season by cotton industry and State government researchers. Formal alignment of monitoring protocols for high priority exotic pests by all researchers now enables the collection widespread surveillance data throughout NSW and Queensland annually during routine benchmarking of endemic diseases (NSW DPI and DAF early and late season disease surveys). Viral surveys of major commercial areas and Northern Australia are conducted annually as part of the project *'Surveillance and studies for endemic and exotic virus diseases of cotton'*.

Most cotton growers employ consulting agronomists who generally conduct twice weekly crop inspections for pests. In a survey of these consultants, 40 respondents reported spending significant 1558 hours on biosecurity, including cleaning down of vehicles and equipment, investigating/ reporting unusual pest/ plant symptoms and completing training/ farm inductions. The Crop Consultants Association regularly includes biosecurity issues in their annual meetings. In addition to agronomist monitoring, CRDC funded the resistance monitoring programs for SLW (with QLD DAF), *H. armigera*, aphid and mites (with NSW DPI) provide dual purpose of informing industry of any developing resistance issues, as well as monitoring for unusual resistance profiles and exotic pests.

## 15.36

**DRIED FRUITS AUSTRALIA INC – BIOSECURITY STATEMENT July 2022**

Dried Fruits Australia Inc is strongly committed to ensuring the dried vine fruit industry is effective in reducing the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade, international trade, market access and the environment. The dried vine fruit industry is also strongly committed to ensuring responses to any pest incursions that may occur, are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Dried vine fruit is grown predominantly in the Mildura-Wentworth and Swan Hill regions of Victoria and New South Wales, along with the Riverland of South Australia. The industry has a farmgate value of $40 million with exports of approximately 20% of the average 15,000 tonnes per annum produced.

**INDUSTRY BIOSECURITY PLAN–THE VITICULTURE INDUSTRY**

As part of the viticulture industry, Dried Fruits Australia, has worked with Plant Health Australia (PHA), and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks in the viticulture industry sectors

The National Industry Biosecurity Plan comprises an introduction and four key sections. The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of 45 pests and exotic pathogens. The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional, and vineyard level to ensure the exclusion/management of serious pests. The contingency plans and response management procedures section details key contacts and communication procedures for all affected viticultural industry sectors, including dried vine fruit, along with relevant counselling and financial counselling providers. These contingency plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. The awareness section identifies fact sheets for the high priority pest identified, general biosecurity awareness materials and contacts for further information on viticultural biosecurity. Dried Fruits Australia Inc will continue to work with Plant Health Australia and other viticultural industry sectors and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

The Viticulture Industry Biosecurity Plan (version 4.0), consistent with PHA's National Industry Biosecurity Planning Guidelines, was finalised in 2020 and made available to industry stakeholders. Of the pests identified in the priority list of the National Viticultural Industry Biosecurity Plan, 13 have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed. 238

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

Dried Fruits Australia Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage an agreed response to an EPP. Dried Fruits Australia has and will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. Dried Fruits Australia has also ensured all delegates participate in relevant competency and non-competency based training delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

**BIOSECURITY AWARENESS**

Dried Fruits Australia Inc has been involved in promoting biosecurity within the dried vine fruits industry via participation in Plant Health Australia's National Plant Health Awareness Campaign. The latest Industry Biosecurity Plan for the Viticulture Industry version has been uploaded to the Dried Fruits Australia website. Dried Fruits Australia participates in events on biosecurity issues for the viticultural industry to ensure that the industry is informed and capable of making decisions quickly and effectively. Dried Fruits Australia is committed to promoting awareness of biosecurity issues via updates to industry through workshops, Currant News (fortnightly email newsletter), the Vine Magazine (quarterly industry magazine) and the Annual Grower Forum, along with any specific or urgent updates provided via social media.

**OTHER ACTIVITIES**

Dried Fruits Australia is committed to biosecurity management. This has resulted in the agreement by industry of a Biosecurity Levy which has been set at $1/tonne and will be utilised for training and management of biosecurity issues.
Dried Fruits Australia is continuing to review the suitability and implementation of the framework involved in Owner Reimbursement Costs ensuring appropriateness for industry requirements.

Currently, Dried Fruits Australia is a member of the Plant Industry Forum committee and also participated in the categorisation of BMSB.

**15.37**

# GRAIN PRODUCERS AUSTRALIA LTD.

## INDUSTRY BIOSECURITY STATEMENT

## JULY 2020

## BACKGROUND

The grains industry is the largest of the Australian plant based agricultural industries worth between $9.0 - $12.0 billion annually.

Whilst the Australian grains industry has robust biosecurity measures in place, international trade, tourism and mail exchange increases the possibly of emergency plant pest (EPP) incursions, posing an on-going challenge to the maintenance of Australia's favourable quarantine status.

Grain Producers Australia (GPA), on behalf of all Australian grain producers, strongly supports the notion that responsibility for maintaining a robust quarantine and biosecurity continuum must be shared between Australian Governments, industry and the entire community.

The grains industry is committed to working with government and the broader plant industries to continually improve Australian biosecurity arrangements. Decision making frameworks and operational mechanisms for responding to EPP incursions, when they do occur, must be in place, well communicated, effective and responsive.

GPA seeks to minimise the threat of EPP occurrences by advocating for increased surveillance activities, strong quarantine measures, encouraging systems which support early detection and reporting to increase the probability of successful eradication, decrease containment costs and maintain access to important export markets.

## GRAINS INDUSTRY BIOSECURITY PLANNING

GPA, and its members, collaborate with Plant Health Australia (PHA), the Commonwealth Government and Australian States/Territories and commits to the comprehensive national approach to managing biosecurity risks in the grains industry.

The National Grains Industry Biosecurity Plan Version 3.0 July 2015 (The Plan) is the framework used to coordinate activities and investment in grains industry biosecurity mechanisms.

The Plan is comprised of four key sections:

1. Threat identification, pest risk assessment and categorisation:

The threat identification, pest risk assessment and categorisation process supports the drafting of a priority pest list through the identification and analysis of exotic grain pests and pathogens. Pest lists have thus far been devised for all 25 leviable grain crops.

Pest Risk Reviews (PRR) have been completed for 54 priority grains pests providing more detailed information on the biology of individual priority pests, potential hosts, overseas distributions, symptoms, entry/establishment/spread potentials and likely economic and environmental impacts

2. Risk mitigation plan:

The Risk Mitigation plan outlines a range of pre-emptive strategies including quarantine, surveillance, training and awareness that can be employed at the national, state, regional and property levels to help ensure the exclusion/management of serious plant pests. It also includes information on the Grains Farm Biosecurity Program.

3. Contingency planning and response management:

The Contingency Plans and Response Management Procedures section includes details relating to the management, control and eradication of specific grain pest threats. These Contingency Plans will underpin, and will be used in conjunction with, the general management structures of PLANTPLAN, a nationally consistent pest response framework. In addition, diagnostic standards, which will form part of future biosecurity plans, are currently available or being developed for 54 identified priority grain pests.

4. Threat summary tables:

The threat summary tables provide analysis of 600 exotic plant pests and the risks they pose to the grains industry

Also included in the document are existing fact sheets or other sources of awareness material for high priority pests. Where fact sheets or other awareness materials are not available, and a pest has been determined to be a priority these will be

developed.  Awareness materials promoting practical on-farm biosecurity measures are also included in the document as well as being separately circulated throughout the grains industry when the need arises.

GPA will continue to work with PHA to maintain a comprehensive Grains Industry Biosecurity Plan and will endeavour to ensure that resources necessary for the development, maintenance and review of the Biosecurity Plan remain available.

## PEST CATEGORISATION

Fourteen exotic grains pests have been categorised for inclusion in the *Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses*.  GPA has committed to providing appropriate industry technical experts necessary to participate in meetings of the Categorisation Group.

## PLANTPLAN: A NATIONALLY CONSISTENT RESPONSE FRAMEWORK

GPA has endorsed PLANTPLAN, the agreed technical Response Plan used by jurisdictions and industry to provide a nationally consistent framework for responding to emergency plant pests and diseases. GPA will use this document to work with government parties and other industry stakeholders in managing agreed EPP responses.

GPA will ensure qualified senior industry delegates are available to participate in all meetings of the Consultative Committee on EPPs or the National Management Group, and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. GPA will also ensure that these delegates participate in relevant competency (and non-competency) based training to be delivered through PHA's Emergency Plant Pest Preparedness Training Program.

## BIOSECURITY AWARENESS

GPA funds a biosecurity outreach program, the Grains Farm Biosecurity Program, managed by PHA and delivered by grains biosecurity officers in each grain producing state. The program raises awareness to help improve practices on farm and boost preparedness to manage biosecurity threats.
Throughout 2019, the grain industry through GPA worked with PHA to develop a strategy for post border grain biosecurity. The program will focus on surveillance and building capacity to respond to potential biosecurity threats. It is expected to be implemented in 2020.
The grains industry developed a biosecurity plan, the Biosecurity Manual for Grain Producers, the Farm Biosecurity Manual for the Organic Grains Industry, and the National Grain Biosecurity Surveillance Strategy 2019–29.

GPA also promotes the importance of plant health via a number of mediums including:

- the Grains Farm Biosecurity program,
- the GPA website,
- GPA member newsletters and media releases where appropriate,
- GPA Grains Policy Council meetings,
- GPA Annual Report,
- Public presentations outlining the biosecurity activities affecting the grains industry during appropriate industry forums, and
- By providing information to our State Farming Organisation (SFO) members for distribution to their members.

GPA and its members are also involved in promoting grains industry biosecurity initiatives via participation in PHA's National Plant Health Awareness Campaign. Regular articles relating to exotic grain pests and potential risk mitigation techniques are featured in the Australian grains industry magazine *Ground Cover* and promotional material has been distributed via GPA members and rural media.

**OTHER ACTIVITIES**

The Grains Research and Development Corporation (GRDC) is active in developing and promoting solutions for minimising the prevalence of impacts of EPPs and diseases within the production environment. While targeted solutions would normally be pest specific, the grains industry promotes the following generic risk mitigation techniques:

- use of pathogen free planting material
- sowing of pest resistant crop varieties
- tillage practices that reduce the potential spread of pests and disease
- use of dedicated equipment in high risk areas
- reporting the presence of diseased plants or unusual pests
- control of alternative hosts and weeds
- chemical pest control technologies
- integrated pest management
- destruction of crop residues
- crop rotation

- decontamination of vehicles, machinery, tools, recycled bins and clothing
- restricted movement of equipment, people and vehicles where appropriate
- application of quality assurance systems
- warning and information signs
- quarantine/biosecurity education of personnel

GPA remains committed to providing input into Commonwealth quarantine reviews, import risk analyses, prohibited/permitted plant lists, import/export conditions, inspection procedures, risk mitigation protocols, the structure of the national quarantine framework and other grains related biosecurity issues as they arise.

In addition, GPA will, through direct engagement with the Department of Foreign Affairs and Trade (DFAT) and the Department of Agriculture, Water and the Environment, continue to provide input with regard to Australia's international biosecurity obligations under WTO agreements.

**15.38**

Greenlife Industry Australia

June 2024

## Nursery Industry Biosecurity Statement

Greenlife Industry Australia (GIA) is the peak industry body representing the Australian nursery industry and in partnership with state peak industry bodies (NGI's) is responsible for overseeing the national development of the Australian nursery industry. Nursery production is a significant member of the horticultural sector growing more than 30,000 individual plant species/cultivars supplying greenlife/nursery stock to the Australian food, fibre and foliage industries.

GIA, with the state and territory NGI's, represents all sectors of the industry including producers (growers), wholesalers (Greenlife Markets), retailers, allied traders and consultants. This close association with the entire supply chain allows GIA to lead and educate industry on the importance of plant biosecurity as well as contribute to the development of preparedness and risk management strategies along the entire biosecurity continuum.

The combined supply chain actors have an estimated annual national value of $6 billion and employs some 45,000 FTE in more than 20,000 small to medium sized businesses. The production sector is broad based and established in every state/territory with many and varying target markets that have an estimated national annual value exceeding $14 billion including:

### Nursery Production Horticultural Supply Chains

| Production Nursery | Horticultural markets | Economic value |
|---|---|---|
| Container stock 1 | Ornamental/urban horticulture | $2 billion retail value |
| Foliage plants 1 | Interior-scapes | $87 million industry |
| Seedling stock 2 | Vegetable growers | $3.3 billion industry |
| Forestry stock 3 | Plantation timber | $1.7 billion industry |
| Fruit and nut tree stock 2 | Orchardists (citrus, mango, etc) | $5.2 billion industry |
| Landscape stock 1 | Domestic & commercial projects | $2 billion industry |
| Plug and tube stock 4 | Cut flower | $319 million industry |
| Revegetation stock 1 | Farmers, government, landcare | $109 million industry |
| Mine revegetation | Mine site rehabilitation | Value unknown |
| | **Total Horticultural Market Value** | **$14.5 billion** |

**1** Data sourced from Market Monitor, 2 Data sourced from Horticultural Handbook 2004, 3 Data sourced from ABARE 2008 & **4** Data sourced from industry

GIA is strongly committed to ensuring the nursery industry effectively reduces the potential for incursions of emergency plant pests (EPP's) that could adversely impact on domestic and international trade, the regional and national economy and the Australian environment through information, education, research and risk reduction strategies. The nursery industry is also strongly committed to ensuring responses to any emergency plant pest incursions, that may occur, are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian nursery industry has a creditable and long history of engagement and cooperation with both national and state plant biosecurity agencies across Australia. GIA is committed to the on-going development of a harmonised and aligned national biosecurity system that is capable of; protecting Australia from EPP's, responding to EPPs, operating under the principle of 'shared responsibility' and is aimed at facilitating trade through appropriate market access instruments.

**INDUSTRY BIOSECURITY PLAN – NURSERY INDUSTRY**

The nursery industry, through GIA, has worked with Plant Health Australia and a range of government agencies to develop a comprehensive national approach to managing biosecurity risks associated with nursery production.

The National Nursery Industry Biosecurity Plan was initially completed in May 2005 and announced to industry. The plan was reviewed in 2007/2008 (Version 2.0) and again in 2012/2013, with the National Nursery Industry Biosecurity Plan Version 3.0 released to industry in May 2013. In 2020 the Plan began its next review and was released (Version 4.0) in late 2023. Copies of the existing plan have been made available to key industry representatives including the State Peak Industry Bodies and the Nursery Industry Extension Officer network. The National Nursery Industry Biosecurity Plan can be found here: https://nurseryproductionfms.com.au/biosecurity/

The ***National Nursery Industry Biosecurity Plan*** comprises an introduction and five other key sections.

The **Exotic High Priority Pests and established pests of biosecurity significance** section identifies HPPs which are considered to present the most significant potential pest threat to the production nursery industry, as identified through a pest risk identification and prioritisation process. Also identified are established pests of biosecurity significance identified in consultation with the production nursery industry. The identification of HPPs and important established pests will allow industry and government to better prioritise and implement preparedness activities.

The **Implementing biosecurity for the Australian production nursery industry 2023-2028** section includes the biosecurity implementation plan and a gap analysis

of the current level of preparedness for HPPs of the industry. The Biosecurity Implementation Group (BIG), comprised of both industry and government representatives, developed the implementation plan that sets out shared biosecurity goals and objectives over the next five years. It is intended that the Biosecurity Implementation Plan (Table 3) is revisited by the Biosecurity Reference Panel (BRP) regularly to monitor its implementation and when necessary, adapt to changing circumstances.

The **Threat Identification** section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of 83 exotic invertebrate pests listed under 6 separate headings and 64 exotic pathogens grouped within 6 individual categories.

There are also 7 completed Pest Risk Reviews that provide more detailed information on the biology of individual priority pests, potential hosts, overseas distribution, symptoms, entry/establishment/spread potential and likely economic and environmental impacts of the pest.

The **Risk Mitigation** section outlines a range of pre-emptive strategies at the national, state, regional and individual production nursery level to ensure the exclusion/management of serious plant pests. The major themes include; Barrier quarantine, Surveillance, Training, Awareness, Farm biosecurity and Reporting of suspect pests. The plan describes the industry's robust and well structured biosecurity on-farm risk management program that includes a Best Management Practice scheme (NIASA) and the rigorous grower applied plant protection and biosecurity instrument (BioSecure *HACCP*).

BioSecure *HACCP* is the on-farm plant protection and biosecurity program developed for production nurseries in Australia. The program validates many of the Best Management Practice strategies employed under the best management practice program Nursery Industry Accreditation Scheme Australia (NIASA). BioSecure *HACCP* seeks to identify internal and external threats to the integrity of a business's plant protection and biosecurity preparedness and mitigate these through a systems approach based on exclusion, inspection, treatment and monitoring.

BioSecure HACCP has attained operational status across all Australian states as a legal market access instrument sitting alongside the two government programs of Plant Heath Inspections and Interstate Certification Assurance arrangements for domestic movement of nursery stock. With the biosecurity agencies of QLD, NSW, VIC, TAS, SA and WA having put in place the authorities to recognise BioSecure HACCP Biosecurity Certificates (BHBC) and approved pest specific Entry Condition Compliance Procedures (ECCP's) growers are certifying nursery stock for interstate trade.

The **Response management** section summarises the processes in place to respond to emergency plant pest (EPP) incursions that would affect the Australian production

nursery industry. Areas covered in this section include the Emergency Plant Pest Response Deed (EPPRD), PLANTPLAN (outlines the generic approach to response management under the EPPRD), categorisation of pests under the EPPRD and industry specific response procedures and industry communication..

The Nursery Industry Biosecurity Plan presently includes a general contingency plan. GIA has developed twenty one threat specific Emergency Plant Pest Contingency Plans for a number of key threatening pests, as itemised below, which will put the industry in a strong position to effectively react to and manage a potential incursion of any one of these pests. On-going review/updating and development of threat specific contingency plans will be an activity that the industry will continue to fund under its national R&D program.

## Threatening Pest Contingency Plans

| Common Name | Biological Name |
|---|---|
| Sudden Oak Death | *Phytophthora ramorum* |
| Guava or Eucalyptus Rust | *Puccina psidii* |
| Huanglongbing (Citrus greening) | *Candidatus* Liberibacter |
| Longicorn beetles | *Anolophora chinensis* and *A. malasiaca* |
| Glassy Winged Sharp Shooter | *Homalodisca coagulate* |
| Gypsy moth | *Lymantria dispar dispar* |
| Poinsettia thrips | *Echinothrips americanus* |
| Serpentine leaf miner | *Liriomyza huidobrensis* |
| Whitefly transmitted viruses | *Bermisia tabaci* |
| Aphid transmitted viruses | Plum pox potyvirus<br>Tobacco etch virus |
| Pierce's disease | *Xylella fastidiosa* |
| Tarnished plant bug | *Lygus lineolaris* |
| Thrips transmitted viruses | Crysanthemum stem necrosis virus<br>Tomato spotted wilt virus<br>Impatiens necrotic spot virus<br>Pelargonium flower break virus |
| Fireblight | *Erwinia amylovora* |
| Exotic Pseudomonas pathovars & strains | *Pseudomonas syringae* |
| Giant African Snail (GAS) | *Achatina fulica* |
| Dutch Elm Disease (DED) | *Ophiostoma ulmi* and *Ophiostoma novo-ulmi* |
| Southern Red Mite | *Oligonychus ilicis* |
| Exotic Invasive Ants | *Camponotus, Myrmica, Solenopsis, etc.* |
| Brown Marmorated Stink Bug | *Halyomorpha halys* |
| Black Bean Aphid | *Aphis fabae* |

The Threat Specific Contingency Plans described above will underpin, and be used in conjunction with, the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The **Awareness Material** section identifies a range of existing sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets are available on particular pests, these were developed and published via the

nursery industry communications program and are available to industry at http://nurseryproductionfms.com.au/. The plan currently contains references to pest specific nursery papers on Fire ants, Western flower thrips, Southern red mite, Ash whitefly, Silver leaf whitefly, Chalara, Vegetable leafminer, Chilli thrips, downy mildew, etc.

GIA will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and annual reviews of the plan. The next review of the plan is due to be concluded in 2025.

During 2010 GIA worked with Plant Health Australia to develop a "Biosecurity Manual for the Nursery Production Industry" that can be used to introduce the fundamentals of biosecurity to growers across Australia. The manual identifies the basic ways to protect a production nursery, introduces the on-farm program BioSecure *HACCP*, and discusses particular issues around pests, product and water management, people, equipment and vehicles. The document closes with Fact sheets covering 6 key threatening pest species and examples of important recording templates such as Visitor, Materials Import Inspection, Vehicle Inspection and Crop Monitoring records.

In early 2016 GIA launched a technical website which houses the biosecurity page at http://nurseryproductionfms.com.au/ that has a range of industry specific information including the Nursery Industry Biosecurity Plan, Pest Management Plans and Factsheets, Nursery Papers, EPPRD and the on-farm program BioSecure *HACCP*. By the end of 2023 there have been 21 Pest Contingency Plans lodged on the site.

## PEST CATEGORISATION

Of the over 100 pests and diseases identified in the priority pest list of the Nursery Industry Biosecurity Plan, 37 have been formally categorised for inclusion in the Emergency Plant Pest Response Deed under Schedule 13.

GIA commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION MAKING PROCESSES/PLANTPLAN

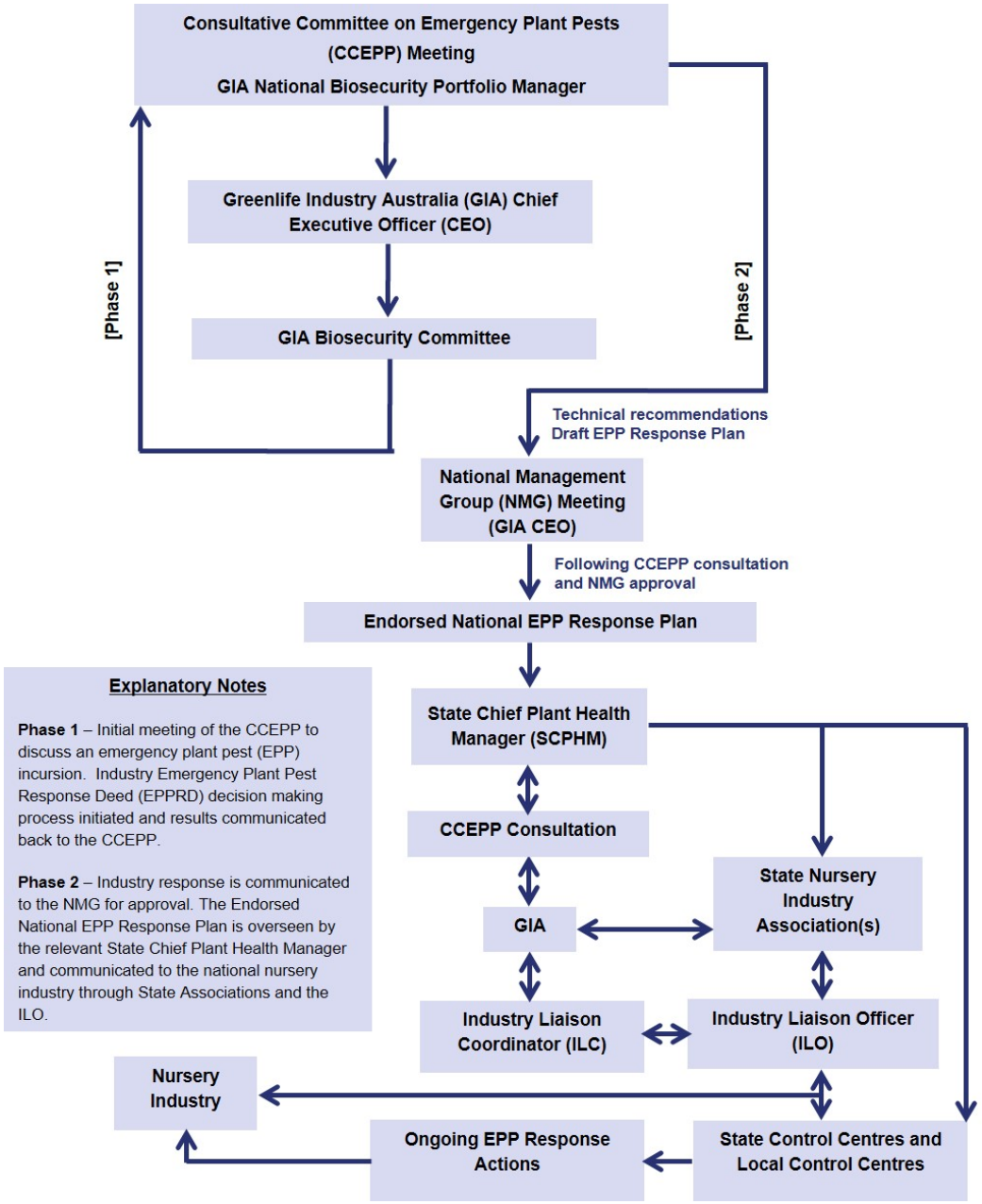
GIA has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP. GIA will encourage all stakeholders to initiate PLANTPLAN at the initial stage (Incident definition phase) of an emergency response and apply the principles at all levels and throughout the eradication phase.

GIA will endeavour to ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency

Plant Pests and the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. GIA will also ensure all delegates participate in relevant competency and non-competency based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

GIA has defined and established an internal biosecurity decision making process, as outlined in the Contingency Plans and Response Management Arrangements section, that aims to engage at all levels of the industry and provide timely advice in an emergency situation.

In the 2013 review of the Industry Biosecurity Plan GIA clearly defined its internal biosecurity structure and reporting processes as demonstrated in the flow diagram below:




## BIOSECURITY AWARENESS

GIA has been involved in promoting biosecurity within the nursery industry via participation in Plant Health Australia's National Plant Health Awareness Campaign. This includes issuing invitations for state agriculture departments, NAQS, BA, PHA, DAWR, and other experts to make presentations on plant health/quarantine/biosecurity issues at events such as national and state conferences, industry field days, and as part of industry pest and disease workshops.

GIA also includes regular plant biosecurity and plant health updates, as well as information on specific threats or incursions in the industry electronic newsletter, via the national and state NGI magazines, the national extension network and on the industry website www.greenlifeindustry.com.au.

GIA, with funding under the Nursery Products Levy and the Commonwealth Government, has established a *National Biosecurity and Sustainable Plant Production Program* and assigned a Director RDE and Biosecurity to provide oversight across this critical area. The Director RDE and Biosecurity is involved in a range of areas associated with the national biosecurity continuum including; technical expertise and management advice to GIA in the implementation of the IBP, on-farm program development and implementation (BioSecure HACCP), state and national preparedness and incursion management, biosecurity RD&E needs plus pre and post border strategy review. The Director RDE and Biosecurity represents the nursery industry on a number of committee's forums and groups including IBP working group, the EPPRD Categorisation Group, PHA liaison, Plant Industries Biosecurity Committee, IRG's the CCEPP and NMG plus will undertake the role of Industry Liaison Coordinator when required.

**OTHER ACTIVITIES**

The *National Biosecurity and Sustainable Plant Production Program*, funded through Hort Innovation using industry levy funds and the commonwealth government, has expanded to cover much of Australia with Extension Officers located in QLD, NSW, VIC, TAS/SA and WA/NT and the Biosecurity Analyst and Director RDE and Biosecurity based in QLD. The program is actively engaging growers across all states and territories in on-farm plant protection and biosecurity improvements and procedural changes that will deliver a robust biosecurity system at a production level. The program is also working with stakeholders to investigate the role industry can play in our national surveillance system ensuring the process is cost neutral, the data is relevant and easy to capture.

GIA continues to invest in the inclusion of relevant and up to date plant health and biosecurity information within the Australian Plant Production Standard (APPS) as seen in the addition of a stand alone biosecurity certification program (BioSecure *HACCP*). This includes the development and review of industry training in relevant areas including Integrated Pest Management, Chemical Handling and BioSecure *HACCP*. In 2016 GIA began developing the on-line eLearning platform (http://nurseryproductionfms.com.au) which has continued to expand in course content addressing plant protection and biosecurity issues, procedures and processes including videos and supporting text's on pest management.

GIA continues to be involved in various committees, workshops and video/teleconferences related to the implementation of the Nursery Industry Biosecurity Plan and the EPPRD. Since 2006 this has included participating either directly or indirectly in more than 30 Pest Categorisation Group Meetings for relevant

pests being reviewed by other industries. Further activities include participation in more than 50 biosecurity workshops and forums plus over 215 Consultative Committee on Emergency Plant Pest (CCEPP) meetings.

NGIQ, in partnership with Hort Innovation, initiated a project in 2008 to convert paper based pest & disease identification resources into an electronic format suitable for use on portable handheld computers/devices (e.g. tablets, notebooks and mobile phones). GIA and NGIQ continue to provide additions/updates to this product including information on EPP's that threaten our borders thereby supporting industry wide surveillance. In 2013 this information was converted into a web-based database and information platform for use on PC's, tablets and mobile phones. In 2023/2024 the software framework was updated to enhance user experiences allowing for updated information presentation, functional improvements and enhanced use across different hardware (PC's, Phones and Tablets). The database is being continuously updated with additional pest information and images being added throughout each year. The Pest ID Tool is available at; http://pestid.com.au

GIA has developed a Virtual Reality (VR) crop monitoring and surveillance training module delivering an interactive immersive training program for growers and staff. Growers are able to access the training module, via a PC/VR Goggles combination or as a virtual reality (VR) experience through portable VR goggles, for a fully immersive training experience. The module has been built around a production nursery cropping system with key pests within the crop to suit the training needs of the grower/staff. The module also draws upon detection based on sampling methodology and the grower's ability to implement the crop monitoring procedure. GIA has made the training module available for growers through the GIA extension network (Oculus RIFT) and via portable VR system (Oculus Quest) for regional businesses access.

Initiated in 2019, GIA has been building the functionality of the web-based Audit Management System (AMS) that currently underpins the operation of BioSecure HACCP in administration, grower record portals, auditing, and government oversight and includes digital recording features for growers. The AMS allows growers to capture critical crop activities such as crop monitoring, site surveillance and consignment inspections digitally on smart phones, tablets, portable devices and PCs. The information is uploaded to the AMS, grower specific portal, and databased for growers to interrogate and generate reports demonstrating trends and activities across the cropping system. GIA has further built into the crop monitoring feature a function allowing GIA request growers look for a specific pest at a specific time (evidence of absence) and automatically report the location and result to AUSPestCheck for recording, contributing to the national pest surveillance program.

**15.39**

**Hazelnut Industry Biosecurity Statement** **July 2024**

Hazelnut Growers of Australia Inc is strongly committed to ensuring the Hazelnut Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade/international trade/market access/public health/food safety/regional and national economy/environment. The Hazelnut Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Hazelnuts are grown in the temperate areas of south-eastern Australia. The main production regions are the Central Tablelands of New South Wales around Orange and north-east Victoria around Myrtleford. They are also grown in central and eastern Victoria and increasingly in northern Tasmania. There are small levels of production in South Australia and Western Australia.

**Australia has recently seen a major on-farm hazelnut investment by Ferrero/Agri Australis (a northern hemisphere confectionery manufacturer) with 1 million trees across 1,900 hectares removed and the property and water rights sold.**

In 2023, hazelnut production was valued at $6.4 million (LVP). The industry is set for an expansion — there are approximately 600 hectares planted, consisting of around 200,000 trees. Production is about 580 tonne in-shell, which is expected to increase as new orchards begin producing commercial quantities.

**INDUSTRY BIOSECURITY PLAN – HAZELNUT INDUSTRY**

The Hazelnut Industry through the Hazelnut Growers of Australia Inc has worked with Plant Health Australia (PHA), a range of government agencies including DAFF, NSW Department of Primary Industries, Agriculture Victoria and Primary Industries and Regions SA and the other nut industries of Almonds, Pistachios, Walnuts. Pecans, Chestnuts and Macadamias to develop a comprehensive national approach to managing biosecurity risks in the Hazelnut Industry..

The National Nut Industry Biosecurity Plan, consistent with PHA's National Industry Biosecurity Planning Guidelines, was officially published in January 2016 following endorsement by Government and Industry but it is currently being reviewed and reshaped and is due for finalisation in the second half of 2024.
Copies of the DRAFT document and the chestnut pest and disease lists plan have been made available to key industry representatives of the Hazelnut Growers of Australia Inc Executive Committee for review and comment.

The National Nut Industry Biosecurity Plan comprises an introduction and four other key sections. The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of seven (7) High Priority pests/diseases and twenty-three (23) Exotic pests/diseases.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been and will continue to be developed.

The National Nut Industry Biosecurity Plan for Hazelnuts does not include any other specific details.

In addition, no national diagnostic protocols have been developed.

Hazelnut Growers of Australia Inc will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

Of the thirty (30) pests identified in the priority pest list of the National Nut Industry Biosecurity Plan, one (1) has been categorised and is listed in Schedule 13 of the Emergency Plant Pest Response Deed.
AND
Hazelnut Growers of Australia Inc commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN**

Hazelnut Growers of Australia Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Hazelnut Growers of Australia Inc will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres.

Hazelnut Growers of Australia Inc will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

**BIOSECURITY AWARENESS**

Hazelnut Growers of Australia Inc has been involved in promoting biosecurity within the Hazelnut industry through the involvement with the Hazelnut Mite incursion and subsequent industry surveys and the Brown Marmorated Stink Bug incursions and eradication programs.

Hazelnut Growers of Australia Inc maintains a Biosecurity section on the industry website.

In addition, Hazelnut Growers of Australia Inc prepares and supplies to members a range of pest and disease and orchard sanitation technical sheets.

**OTHER ACTIVITIES**

Hazelnut Growers of Australia Inc has employed a Communications Officer and one of the roles is to undertake biosecurity activities including: -

a. Representation of Hazelnut Growers of Australia Inc at relevant Plant Health Australia meetings,
b. Representation of the Hazelnut Growers of Australia Inc at relevant CCEPP and NMG meetings,
c. Representation of the Hazelnut Growers of Australia Inc at relevant National and State Biosecurity Roundtables and Exercises.
d. Prepared and distributed an On-Farm Biosecurity Planner
e. Ongoing review the pest list within the Nut Industry Biosecurity Plan.

The position of the Communications Officer is funded through general revenue of Hazelnut Growers of Australia Inc.

**15.40**

**Passionfruit Industry Biosecurity Statement August 2023**

Passionfruit Australia Inc. is strongly committed to ensuring the Passionfruit industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on the production and sale of fresh and processed fruit. Passionfruit Australia Inc. is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The Australian passionfruit industry is a small but growing tropical fruit industry. The majority of passionfruit is produced is Queensland (60%) and New South Wales (35%). Smaller volumes are produced in Western Australia, Victoria, South Australia and the Northern Territory. Passionfruit is available all year round, with peaks in supply occurring in December and January. In 2020/21 5,085 tonnes of passionfruit was produced with a production value of $24.2 million. The value and volume of passionfruit production has been growing steadily over the last six years, with volume increasing by 904 tonnes (22%) and value increasing by $10.5 million (77%) since 2013/14. Approximately 91% of the volume of production is supplied to the domestic fresh market, with the balance (9%) being sent for processing.

In areas with subtropical climates, such as South-East Queensland and Northern New South Wales, hybrids (Australian hybrid varieties are known to have a greater depth of flavour) of the purple passionfruit (Passiflora edulis) and the panama passionfruit (Passiflora edulis f. flavicarpa) are preferred for commercial production. In Northern Queensland, Panama, P. edulis f. flavicarpa hybrids (golden passionfruit resistant to Fusarium wilt) are grown.

**BIOSECURITY PLAN – PASSIONFRUIT INDUSTRY**

The Passionfruit Industry, through Passionfruit Australia Inc is working with Plant Health Australia (PHA), and a range of government agencies including Dept Agriculture, Queensland Dept Agriculture and Fisheries and NSW Dept Primary Industries to develop a comprehensive national approach to managing biosecurity risks in the Passionfruit industry.

Plant Health Australia, in conjunction with Hort Innovation Australia and Peak Industry Bodies, is currently creating a joint industry Biosecurity Plan.

The Lychee, Papaya and Passionfruit Biosecurity Plan is expected to be completed by November 2024 and will be consistent with PHA's National Industry Biosecurity Planning Guidelines**.**

The Lychee, Papaya and Passionfruit Biosecurity Plan will compromise an introduction and four other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of exotic pests and exotic pathogens.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin, and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest

list. Where no existing fact sheets or information was available on particular pests, fact sheets are being developed.

In addition, national diagnostic protocol has been/are being developed for other pests and diseases that are identified during the review process, and will form part of future biosecurity plans.

Passionfruit Australia Inc will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

Passionfruit Australia Inc commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi- industry impacts.

**NATIONAL DECISION MAKING PROCESSES/PLANTPLAN**

Passionfruit Australia Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Passionfruit Australia Inc will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. Passionfruit Australia Inc will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

**BIOSECURITY AWARENESS**

Passionfruit Australia Inc has been involved in promoting biosecurity within the Passionfruit industry. Passionfruit Australia Inc has a Farm Biosecurity Planner which is available to growers and keeps growers and industry stakeholders updated on biosecurity issues via newsletters, hard copy publications and field days.

**15.41**

**Pistachio Industry Biosecurity Statement**

**July 2024**

Pistachio Growers' Association Inc is strongly committed to ensuring the Pistachio Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade/international trade/market access/public health/food safety/regional and national economy/environment. The Pistachio Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The major production areas are along the Murray River Valley between Swan Hill, Victoria and Waikerie, South Australia. Further plantings are in central west Victoria and Pinnaroo, South Australia. There are also a small number of growers in central New South Wales; southern Victoria and Western Australia but only produce very small yields. A central commercial processing facility is at Robinvale in Victoria.

The pistachio industry includes a mix of medium-sized and smaller operations. The bulk of the crop is produced on medium-sized orchards.

In 2021, the area under pistachio production had increase to 2,100 hectares. It is estimated that by 2022 pistachio production will be at a 4-year rolling average of 3,000 tonnes a year ($32 million).

The industry is expanding with new plantings of about 150 to 200 hectares per annum for each of the last few years.

**INDUSTRY BIOSECURITY PLAN – PISTACHIO INDUSTRY**

The Pistachio Industry through the Pistachio Growers' Association Inc has worked with Plant Health Australia (PHA), a range of government agencies including DAWE, NSW Department of Primary Industries, Agriculture Victoria and Primary Industries and Regions SA and the other nut industries of Almonds, Hazelnuts, Walnuts. Pecans,

Chestnuts and Macadamias to develop a comprehensive national approach to managing biosecurity risks in the Pistachio Industry.

The National Nut Industry Biosecurity Plan, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was officially published in January 2016 following endorsement by Government and Industry. Copies of the plan have been made available to key industry representatives of the Pistachio Growers' Association Inc Executive Committee and placed on the industry website. Work is expected to commence on a review of the National Nut Industry Biosecurity Plan in 2022.

The National Nut Industry Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of thirty (30) exotic pests and eleven (11) exotic pathogens.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been and will continue to be developed.

The National Nut Industry Biosecurity Plan for Pistachios does not include any other specific details.

In addition, no national diagnostic protocols have been developed.

Pistachio Growers' Association Inc will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

## PEST CATEGORISATION

Of the forty-one (41) pests identified in the priority pest list of the National Nut Industry Biosecurity Plan, one (1) has been categorised and is listed in Schedule 13 of the Emergency Plant Pest Response Deed.

AND

Pistachio Growers' Association Inc commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN

Pistachio Growers' Association Inc has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Pistachio Growers' Association Inc will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres.

Pistachio Growers' Association Inc will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

## BIOSECURITY AWARENESS

Pistachio Growers' Association Inc has been involved in promoting biosecurity within the Pistachio Industry through the involvement with the Khapra Beetle incursions and eradication programs.

Pistachio Growers' Association Inc maintains a Biosecurity section on the industry website.

In addition, Pistachio Growers' Association Inc prepares and supplies to members a range of pest and disease and orchard sanitation technical sheets.

## OTHER ACTIVITIES

Pistachio Growers' Association Inc has employed an Executive Officer and one of the roles is to undertake biosecurity activities including: -

a) Representation of Pistachio Growers' Association Inc at relevant Plant Health Australia meetings,

b) Prepare a draft On-Farm Biosecurity Planner

c) Ongoing review the pest list within the Nut Industry Biosecurity Plan.

The position of the Executive Officer is funded through general revenue of Pistachio Growers' Association Inc.

**15.42**

**Queensland Fruit and Vegetable Growers Ltd. (Growcom) Biosecurity Statement**

**July 2021**

## Background

Growcom as the peak industry body for pineapples is strongly committed to ensuring the pineapple industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on the viability of pineapples domestically.

The pineapple industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

The majority of pineapple production occurs in Queensland. The market for pineapples in predominantly domestic with minimal exports. Production in 2020 was 66,816 tonnes valued at $60M. Production for the fresh fruit market was 45,908 tonnes (69% of production) with the remaining 20,907 tonnes (31% of produce) sent for processing as tinned fruit or juice.

## Industry Biosecurity Plan – Pineapple Industry

The pineapple industry through Growcom is working with Plant Health Australia, and the Australian Government and Biosecurity Queensland, to develop a comprehensive national approach to managing biosecurity risks in the pineapple industry.

The National Industry Biosecurity Plan for the Pineapple Industry Version 2.0, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, was officially updated in January 2016, and copies of the plan have been made available to key industry representatives from the Australian Pineapples committee.

The National Industry Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of more than 110 exotic pests and pathogens. The majority of these exotic pests and pathogens have been deemed to have negligible overall risk to the Australian industry.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests. For local pests, these activities include pest management and farm hygiene, as well as equipment and vehicle management by growers. Growers are being encouraged to undertake the Hort360 risk management best practice program which includes biosecurity modules. This allows growers to assess their level of risk for biosecurity issues and take steps to minimise that risk with behavioural improvements.

The industry relies heavily on border protection and Import Risk Assessments for international imports, as Australia has few of the major pests and diseases that plague other pineapple producing nations.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These plans are generic and not for any specified pest situation.  These Contingency Plans underpin, and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of high priority pests tabled in the priority pest list. The Industry has the Pineapple problem solver field guide (2015) produced by QDAF which has a section for exotic pests and diseases. However, this only deals with 5 of the more than 110 identified exotic pests and diseases as they are deemed to have the greatest overall risk to industry.

Growcom as the Peak Industry Body for Pineapples will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**Pest Categorisation**

Of the 110+ pests identified in the priority pest list of the National Industry Biosecurity Plan, only 1 has been categorised and listed in Schedule 13 of the Emergency Plant Pest Response Deed. This is false codling moth, which is a category 2 pest under the Deed.

## National Decision Making Processes/PLANTPLAN

Growcom has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Growcom will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. Growcom will also ensure all delegates participate in relevant competency and non-competency based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

## Biosecurity Awareness

Growcom has been involved in promoting biosecurity within the pineapple industry via participation in Pineapple Study Groups. These meetings have discussed plans particularly for incursion of Bacterial Fruit Collapse and the ability to recognise the signs of its presence in a crop.

We have issued invitations for relevant government agencies and, other experts to provide information on plant health, quarantine and biosecurity for publication and presentation at industry forums. Information on the Pineapple Industry Biosecurity Plan has been extended to growers via research project reports and activities, workshops, industry events and through our web page and newsletters.

Growcom is also promoting awareness of biosecurity and the biosecurity planning process through industry training and accreditation programs, Integrated Pest Management and chemical/pesticide courses, and Farmcare, Freshcare and other quality assurance programs.

**15.43**

Raspberry and Blackberry Industry Biosecurity Statement
August 2024

Raspberries and Blackberries Australia (RABA) is strongly committed to ensuring that the Australian *Rubus* industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic and international trade, market access, and regional and national economies. The *Rubus* industry is also committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

*Rubus* are grown in all states, with major production areas including the Yarra Valley in Victoria, Tasmania, the Sunshine Coast and the Granite belt in Queensland, the Swan district and South West of Western Australia, and the Adelaide Hills. In 2022/23 the Australian *Rubus* industry produced aprrox. 11,000 tonnes, with a farm gate value of $221.3 million. Export accounts for less than 1% of production, with 9 tonnes exported at a value of $0.3 million.

The industry, through RABA, is working with Plant Health Australia (PHA), and state and federal government agencies to develop a comprehensive national approach to managing biosecurity risks in the *Rubus* industry.

In October 2023, the Rubus industry voted to implement a PHA levy set a 2c/kg.

## Commitments under the Emergency Plant Pest Response Deed

### INDUSTRY BIOSECURITY PLAN

The National Industry Biosecurity Plan for the *Rubus* industry, has been reviewed and updated, consistent with PHA's *National Industry Biosecurity Planning Guidelines*, in 2019-20, as a combined plan for the Berry sector including Rubus and strawberry. The plan was endorsed by industry and government in December 2020. Copies of the plan were made available to key industry representatives.

Berries Australia is currently working with PHA on a new version of the Berry Biosecurity Plan incorporating blueberries in addition to strawberries and Rubus.

The updated biosecurity plan identifies and prioritises the berry industry biosecurity risks and provides a framework for risk mitigation and preparedness activities. The threat identification section has involved the development of a high priority pest list, developed through the identification, analysis and prioritisation of exotic pests and pathogens of specific each berry category and across berry industries.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans, where available, underpin, and will be used in conjunction with, the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The biosecurity plan identifies a range of existing fact sheets and other sources of information for the high priority pests identified in the priority pest list, that can be used to promote biosecurity awareness throughout the industry.

An implementation plan has been developed, based on prioritisation and gap analysis by the Biosecurity Implementation Group, that sets out shared biosecurity goals and objectives for the industry. The plan provides specific recommendations on biosecurity activities identified by both industry and government to improve preparedness for pest threats.

In addition, national diagnostic protocols are being developed for several of the high priority plant pests identified, and will form part of future biosecurity plans.

RABA will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

## PEST CATEGORISATION

RABA commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts. Currently, of the 21 pests identified in the priority pest list of the Berry Sector Biosecurity Plan, 5 have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed. In addition, 6 are listed as National Priority Plant Pests.

## NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN

RABA has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

RABA will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State

Coordination Centres. RABA will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

Through the Berries Australia Industry Development and Communications project, the berry industry is working to ensure all industry development officers and other relevant staff receive Industry Liaison training and participate in incursion scenario training when available.

Berries Australia has recently created a role for a Biosecurity Manager to ensure the berry industry meets its biosecurity obligations under the deed and increases industry biosecurity awareness and capability. This includes the development of a BISOP for the Rubus industry.

## OWNER REIMBURSEMENT COSTS

RABA has worked with PHA to start to develop an Owner Reimbursement Cost (ORC) Framework for the *Rubus* industry.

## BIOSECURITY AWARENESS

As part of its commitment to industry development, RABA supports activities to enhance awareness and management of exotic and endemic pests and diseases, through research, development and extension projects. Industry events, such as workshops and field days, and industry publications, regularly update growers on biosecurity issues and promote the importance of on-farm biosecurity.

## OTHER ACTIVITIES

As part of their integrated pest management programs, many growers employ consulting agronomists throughout the season to undertake surveillance activities within their crops.

## RESEARCH AND DEVELOPMENT

RABA is committed to supporting R&D projects that enhance the *Rubus* industry's biosecurity expertise and response preparedness. Through Hort Innovation and the Raspberry and Blackberry levy, the industry has supported projects including increasing industry preparedness for Spotted Wing Drosophila and *Xylella fastidiosa*, *Varroa* mite surveillance and the National Fruit Fly Strategy, and the integrated pest management of Redberry mite. The industry is currently funding an Integrated Pest and Disease Management Project through Hort Innovation.

RICEGROWERS' ASSOC. of Australia Inc.

serving rice growers since 1930

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**15.44**

## RICE INDUSTRY BIOSECURITY STATEMENT 2024-25

**"Australia has been growing rice for over 90 years."**

Rice was first grown in the early 1920's - near the townships of Leeton and Griffith in the New South Wales Riverina. Today the rice industry contributes to supporting 63 regional communities – mostly located in the temperate climate of the NSW Riverina – creating around 8,000 jobs. There are approximately 1,000 rice farms in Australia producing around 600,000 tonnes of rice per year. Most rice farms are owned and operated by Australian families.

**3. "Australian rice feeds up to 30 million people daily"**

Rice production is one of the most important agricultural activities on the planet as it is the main source of nutrition for more than half the world's population. Australia produces enough rice to feed almost 30 million people a meal a day for 365 days.

**4. "Australian rice yields are among the highest in the world"**

Australian growers surpassed the current overseas average production of 5.4 tonnes per hectare 45 years ago and today average over 11 tonnes per hectare.

**5. "The Australian rice industry is the most efficient in the world"**

Australian rice growers have improved their water use efficiency by 60% over the last 10 years. They now grow more rice with less water. Overseas rice growers can use up to 5 times more water to grow a kilo of rice compared to Australian growers.

**6. "Outstanding worldwide reputation"**

Australian rice is recognised worldwide for its high quality and is demanded by the higher priced international markets. SunRice is Australia's major processor and marketer of high-quality rice food products and by-products. Each year the industry earns around $1.5 billion in revenue, which includes nearly $500 million from value-added exports. The industry operates without any production or export subsidies.

### 7. THE RICEGROWERS' ACCOCIATION

The Ricegrowers' Association of Australia Inc. (RGA) is the collective voice of rice growers in Australia. The RGA represents over 1000 voluntary members by leading growers on issues affecting the viability of their business and communities. The RGA was formed in the face of adversity in 1930 to unite the small group of pioneer rice growers into an effective and cohesive force. The legacy is to organise a profitable long-term future for individual rice growers and their industry.

To ensure its future viability and sustainability, it is important that the Australian rice industry, represented by the RGA minimises the risks posed by exotic pests and responds effectively to plant pest threats

The RGA is committed to ensuring that there is a mechanism in place, Rice Biosecurity Plan, which effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on over 1,000 rice growers, industry employees, regional communities and our international brands. The RGA is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

## INDUSTRY BIOSECURITY PLAN – RICE INDUSTRY

The Biosecurity Plan for the Australian Rice Industry was coordinated by Plant Health Australia and the RGA using a partnership approach with government and industry. The organisations and agencies involved in developing the plan include:

- The Ricegrowers' Association of Australia
- Plant Health Australia
- Agrifutures
- SunRice
- Rice Breeding Australia
- NSW Department of Primary Industries and Regional Development
- The Australin Government Department of Agriculture, Fisheries and Forestry

The Biosecurity Plan for the Australian Rice Industry Version 4 was released in June 2023. This version was a full revision of the Biosecurity Plan for the Australian Rice Industry Version 3.2. The plan was developed in consultation with the Rice Technical Expert Group (TEG) and Rice Biosecurity Implementation Group (BIG) which consisted of plant health and biosecurity experts and industry representatives. At the meetings of the Industry Biosecurity Group, threats to the industry were systematically identified and strategies devised to minimise the risks posed to the industry.

The Biosecurity Plan for the Australian Rice Industry focuses on five key areas.

1. Exotic High Priority Pests and important established pests
   A key outcome of this biosecurity plan is the identification of the exotic High Priority Pests (HPP) and established pests of biosecurity significance for the Australian rice industry.

The identification of HPPs and important established pests will allow industry and government to better prioritise and implement preparedness activities.

2. Implementing biosecurity for the Australian rice industry 2023-2028
   The Biosecurity Implementation Group (BIG), comprised of both industry and government representatives, developed the implementation plan that sets out shared biosecurity goals and objectives over the next five years.

3. Threat identification and pest risk assessments
   The primary goal is to coordinate identification of exotic pest threats that could impact productivity, or marketability.

4. Risk mitigation and preparedness
   The major themes covered include:
   • Barrier quarantine.
   • Surveillance,
   • Training,
   • Awareness,
   • Farm biosecurity,
   • Reporting of suspect pests.

5. Response management
   Response management involves the implementation of PLANTPLAN, a national set of incursion response guidelines for the plant sector, detailing the procedures required and the roles and responsibilities of all Emergency Plant Pest Response Deed (EPPRD) signatories affected by an Emergency Plant Pest (EPP)

## PEST CATEGORISATION

There are 6 priority pests identified in the Rice Industry Biosecurity Plan that have been categorised for inclusion in the Emergency Plant Pest Response Agreement. The RGA is committed to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider either pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

## NATIONAL DECISION MAKING PROCESSES/PLANTPLAN

The RGA has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

The RGA will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests or the National Management Group and to take up roles in Local Pest Control Centres or the State Pest Control Headquarters. The RGA will also ensure all delegates participate in relevant competency and non-competency-based training to be delivered through Plant Health Australia's Emergency Plant Pest Preparedness Training Program.

**BIOSECURITY AWARENESS**

The RGA has been involved in promoting biosecurity within the Rice industry via participation in Plant Health Australia's National Plant Health Awareness Campaign. The RGA has also increased industry awareness of biosecurity issues through regular grower meetings, publications and on-line facilities. The RGA will collaborate with industry stakeholders to insure ongoing promotion of awareness of the need for monitoring and response to biosecurity risks.

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**15.45**

Strawberry Industry Biosecurity Statement August 2024

Strawberries Australia Inc. (SAI) is strongly committed to ensuring that the Australian strawberry industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic and international trade, market access, and regional and national economies. The strawberry industry is also committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community.

Strawberries are grown in all states, with major production areas including the Sunshine Coast, Bundaberg and the Granite belt in Queensland, the Yarra Valley in Victoria, Wanneroo and Albany in Western Australia, the Adelaide Hills, and Tasmania. The Australian strawberry industry produces close to 66,000 tonnes per year, with a farm gate value of nearly $430 million. Export accounts for approximately 3% of production, with a value of $25.7 million (2022/23).

Strawberry fruit growers throughout Australia rely on the strawberry propagation industry to provide high quality, disease and pest free planting material, both bare-rooted runners and increasingly strawberry plug plants. The Victorian Strawberry Industry Certification Authority (VSICA) and the Australian Strawberry Propagators Accreditation Authority (ASPAA) are responsible for certification of all runners sold to fruit growers.

The industry, through SAI, is working with Plant Health Australia (PHA), and state and federal government agencies to develop a comprehensive national approach to managing biosecurity risks in the strawberry industry.

## Commitments under the Emergency Plant Pest Response Deed

## INDUSTRY BIOSECURITY PLAN

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| The National Industry Biosecurity Plan for the Berry Sector, was updated in 2019-2020 consistent with PHA's *National Industry Biosecurity Planning Guidelines*, and was published December 2020 following endorsement by Government and Industry. Copies of the plan were made available to key industry representatives. The 2020 biosecurity plan for the Berry Sector was a combined plan, encompassing the strawberry and Rubus industries.<br><br>Berries Australia is currently working with PHA on a new version of the Berry Biosecurity Plan incorporating blueberries in addition to strawberries and Rubus. |

The updated biosecurity plan identifies and prioritises the berry industry biosecurity risks and provides a framework for risk mitigation and preparedness activities. The threat identification

section has involved the development of a high priority pest list, developed through the identification, analysis and prioritisation of exotic pests and pathogens of specific each berry category and across berry industries. The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans, where available, underpin, and will be used in conjunction with, the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The biosecurity plan identifies a range of existing fact sheets and other sources of information for the high priority pests identified in the priority pest list, that can be used to promote biosecurity awareness throughout the industry.

An implementation plan has been developed, based on prioritisation and gap analysis by the Biosecurity Implementation Group, that sets out shared biosecurity goals and objectives for the industry. The plan provides specific recommendations on biosecurity activities identified by both industry and government to improve preparedness for pest threats.

In addition, national diagnostic protocols are being developed for several of the high priority plant pests identified, and will form part of future biosecurity plans.

SAI will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

## PEST CATEGORISATION

SAI commits to ensuring appropriate industry technical experts will be available to participate in future meetings of the Categorisation Group to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.
Currently, of the 21 pests identified in the priority pest list of the Berry Sector Biosecurity Plan, 5 have been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed. In addition, 6 are listed as National Priority Plant Pests.

## NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN

SAI has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

SAI will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on Emergency Plant Pests and the

National Management Group and to take up roles in Local Control Centres or the State Coordination Centres. SAI will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program.

Through the Berries Australia Industry Development and Communications project, the berry industry is working to ensure all industry development officers and other relevant staff receive Industry Liaison training and participate in incursion scenario training when available.

Berries Australia has recently created a role for a Biosecurity Manager to ensure the berry industry meets its biosecurity obligations under the deed and increases industry biosecurity awareness and capability. This includes the development of a BISOP for the strawberry industry.

## OWNER REIMBURSEMENT COSTS

SAI is committed to working with PHA to develop an Owner Reimbursement Cost (ORC) Framework for the strawberry industry.

## BIOSECURITY AWARENESS

As part of its commitment to industry development, SAI supports activities to enhance awareness and management of exotic and endemic pests and diseases, through research, development and extension projects. Industry events, such as workshops and field days, and industry publications, regularly update growers on biosecurity issues and promote the importance of on-farm biosecurity.

## OTHER ACTIVITIES

The strawberry runner industry provides certified pest- and disease-free planting material to fruit growers, accredited by either VSICA or ASPAA. These organisations conduct continual surveillance throughout the growing season in order to provide certified high health plants.

As part of their integrated pest management programs, many growers employ consulting agronomists throughout the season to undertake surveillance activities within their crops.

## RESEARCH AND DEVELOPMENT

SAI is committed to supporting R&D projects that enhance the strawberry industry's biosecurity expertise and response preparedness. Through Hort Innovation and the strawberry levy, the industry has supported projects including increasing industry preparedness for Spotted Wing Drosophila and *Xylella fastidiosa*, *Varroa* mite surveillance and the National Fruit Fly Strategy, management of soil borne pathogens such as *Macrophomina phaseolina*, and the production of high health planting material.

**15.46**

**Summerfruit (Stonefruit) Industry Biosecurity Statement**

**August 2024**

Summerfruit Australia Ltd is strongly committed to ensuring the Summerfruit (Stonefruit) Industry effectively reduces the potential for incursions of emergency plant pests and diseases that could adversely impact on domestic trade/international trade/market access/public health/food safety/regional and national economy/environment. The Summerfruit (Stonefruit) Industry is also strongly committed to ensuring responses to any pest incursions that may occur are undertaken as rapidly and effectively as possible to minimise costs to growers, the industry, other plant industries, government parties and the wider community..

Summerfruit Australia Ltd is the industry voice for the betterment of Summerfruit (fresh apricots, nectarines, peaches and plums). It represents the interests of the Summerfruit (Stonefruit) industry on a national and international basis. It is the body recognised by government as the peak industry body for growers of Summerfruit (Stonefruit) and has responsibility for the management of the industry marketing and R&D levy expenditure.

Summerfruit Australia Ltd works closely with other interested groups, government and supply chain partners to maximize profitability for the industry. It was formed in 1994 as Australian Fresh Stone Fruit Growers Association (AFSFGA), a federation of state organisations, and in August 2003 decided to change its corporate structure to a national company limited by guarantee. Its leadership is democratically elected directly by growers and it has a national office in Aldgate, SA.

Summerfruit Australia Ltd is a communications channel, a lobby group, a provider of technical information and a promoter of summer fruit as a healthy nutritious fruit

Summerfruit Australia Ltd holds regular meetings with government and others to advance the industry perspective on important issues, such as market access for Australian fruit, fair access to irrigation water and protecting Australian horticulturists from the risk of exotic pest incursions

## INDUSTRY BIOSECURITY PLAN – SUMMERFRUIT (STONEFRUIT) INDUSTRY

The National Summerfruit Industry Biosecurity Plan, consistent with PHA's National Industry Biosecurity Planning Guidelines, was officially published in December 2019 following endorsement by Government and Industry. Copies of the plan have been made available to key industry representatives of the Summerfruit Australia Ltd Board and placed on the industry website. Work is expected to commence on a review of the National Summerfruit Industry Biosecurity Plan 2024/25.

The National Summerfruit Industry Biosecurity Plan comprises an introduction and four other key sections.

The threat identification section has involved the development of a priority pest list, developed through the identification, analysis and prioritisation of one hundred and ninety-seven (197) exotic pests and sixty-six 6) exotic pathogens.

The risk mitigation section outlines a range of pre-emptive strategies at the national, state, regional and property levels to ensure the exclusion/management of serious plant pests.

The contingency plans and response management procedures section details key industry contacts and communication procedures, relevant counselling and financial counselling providers. These Contingency Plans underpin and will be used in conjunction with the general management structures of PLANTPLAN. Each contingency plan includes pest or industry specific details relating to the management/control/eradication of individual pest threats.

The awareness section identifies a range of existing fact sheets or other sources of information for the high priority pests identified in the priority pest list. Where no existing fact sheets or information was available on particular pests, fact sheets have been and will continue to be developed.

The National Summerfruit Industry Biosecurity Plan for Summerfruit (Stonefruit) does not include any other specific details.

In addition, number of national diagnostic protocols have been/are being developed for Xylella, Fireblight, Plum Pox and will form part of future biosecurity plans.

Summerfruit Australia Ltd will work with Plant Health Australia and provide appropriate resources to the ongoing maintenance and reviews of the plan.

**PEST CATEGORISATION**

Of the two hundred and sixty-three (263) pests identified in the priority pest list of the National Summerfruit Industry Biosecurity Plan, four (4) has been categorised and are listed in Schedule 13 of the Emergency Plant Pest Response Deed.

AND

Summerfruit Australia Ltd commits to ensuring appropriate industry technical experts will be available to participate in Categorisation Groups to consider pest categorisation or funding weight calculations for Emergency Plant Pests with multi-industry impacts.

**NATIONAL DECISION-MAKING PROCESSES/PLANTPLAN**

Summerfruit Australia Ltd has endorsed PLANTPLAN (Australian Emergency Plant Pest Response Plan) and will use this document to work effectively with government parties to manage any agreed responses to an EPP.

Summerfruit Australia Ltd will ensure senior and qualified industry delegates are available at short notice to participate in meetings of the Consultative Committee on

Emergency Plant Pests and the National Management Group and to take up roles in Local Control Centres or the State Coordination Centres.

Summerfruit Australia Ltd will also ensure all delegates participate in relevant training delivered through Plant Health Australia's National Emergency Plant Pest Training Program

**BIOSECURITY AWARENESS**

Summerfruit Australia Ltd has been involved in promoting biosecurity within the Summerfruit (Stonefruit) Industry through the involvement with Varroa Mite, Brown Marmorated Stink Bug, Red Dwarf Honey Bee, Polyphagous shot-hole borer incursions and subsequent Eradication/Transition to Management Programs and the Exotic Fruit Fly Program. In addition, Summerfruit Australia Ltd has responded other exotic pest incursions where it is listed as an Affected Party.

Summerfruit Australia Ltd maintains a Biosecurity section on the industry website. In addition, Summerfruit Australia Ltd prepares and supplies to members a range of pest and disease and orchard sanitation technical sheets.

**OTHER ACTIVITIES**

Summerfruit Australia Ltd has employed a Chief Executive Officer and one of the roles is to undertake biosecurity activities including: -

a) Representation of Summerfruit Australia Ltd at relevant Plant Health Australia meetings,
b) Representation of Summerfruit Australia Ltd at relevant CCEPP and NMG meetings,
c) Representation of Summerfruit Australia Ltd at relevant National and State Biosecurity Roundtables and Exercises.
d) Ongoing review the pest list within the Summerfruit Industry Biosecurity Plan.s

The position of the Chief Executive Officer is funded through general revenue of Summerfruit Australia Ltd

Summerfruit Australia Ltd is exploring the possibility of engaging a Biosecurity Officer.

# Schedule 16 Process for Variation or Termination of Deed

**(Clause 17)**

## Part 1 Form for Nomination of Authorised Signatory

Chief Executive Officer

Plant Health Australia

Level 1, 1 Phipps Close

DEAKIN ACT 2600

Date:

Dear Chief Executive Officer,

**Variations to the Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses – Notice of Nomination of Authorised Signatory**

I certify that _____ [name/position of authorised person] whose signature is appended at the foot of this notice and signed in my presence, is authorised from the date of this notice until _____ [insert date or "further notice"] as the representative of _____ [name of Party] to sign on its behalf 'Approval of Variation to Provisions' of the *Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses* (**EPPRD**).

By virtue of this notice, Plant Health Australia and each other Party to the EPPRD can rely on an 'Approval of Variation to Provisions' duly signed by this authorised person as evidence of _____'s [name of Party] agreement to the variations of the EPPRD which are set out in the Approval of Variations to Provisions form.

_____

(Signature of Authorised Person)

Signed in my presence:

Yours faithfully

_____

(Minister/President)

## Part 2 Approval of Variations to Provisions

Chief Executive Officer

Plant Health Australia

Level 1, 1 Phipps Close

DEAKIN ACT 2600

Dear Chief Executive Officer

**Government and Plant Industry Cost Sharing Deed in respect of Emergency Plant Pest Responses (EPPRD) –Approval of Variations to Provisions**

As the representative of [**name of Party**] duly authorised to confirm on its behalf the Party's approval of the Variations to Provisions of the EPPRD set out in Attachment A *"Background Paper on Proposed Variations to the Emergency Plant Pest Response Deed"* (enclosed), I hereby confirm the approval of [**name of Party]** of the scheduled variations to the EPPRD as follows (tick the appropriate box):

| **Proposed variation number** | **Issue** | **Approve** | **Reject** |
|---|---|---|---|
| | | | |
| | | | |
| | | | |

(Signature of Authorised signatory)

(Signature of Witness to Authorised signatory's signature)

(Title of Authorised signatory)

(Full name of Witness)

(Date)

(Date)

# Schedule 17 Guidelines for Owner Reimbursement Costs

The following is the Executive Summary for the Guidelines for Owner Reimbursement Costs under the Government and Plant Industries Cost Sharing Deed in respect of Emergency Plant Pest Responses (**Guidelines**).

The Guidelines provide a basis for consistent legislation in the States and Territories with respect to the payment to Owners of Owner Reimbursement Costs. For this Deed, the Guidelines serve the separate purpose of providing the basis for assessment of Owner Reimbursement Costs for the purposes of Cost Sharing.

The complete Guidelines document is available from the Plant Health Australia web site.

Note: Despite referring only to Owner Reimbursement Costs incurred as part of a Response Plan, in the case when the NMG has made a decision pursuant to clause 9.1.2 to apply Cost Sharing of ORCs in the absence of a Response Plan, these Guidelines apply equally to Owner Reimbursement Cost incurred in those circumstances.

# EXECUTIVE SUMMARY

The main objective in providing Owner Reimbursement Costs (**ORC**) is to provide incentives for growers to report suspicious pests or pathogens [10] under the basic principle of no one being worse off or better off as a result of reporting a suspected exotic pest incursion. A companion objective is to provide social justice to those growers who, through no fault of their own, are seriously affected by a Response Plan to eradicate an exotic pest.

As a general guideline, Owner Reimbursement Costs should be equal to the previous or pre-Response Plan value of the assets in question less the current or post Response Plan value of the damaged assets, plus the response costs incurred by the owner. Where the assets are destroyed, the post Response Plan value will, of course, be zero. Thus,

**Owner Reimbursement Costs = (Previous asset value – Damaged asset value) + Response costs**

In general, the time of valuation should be as close as possible to the time of destruction of the Crop or imposition of a quarantine order. However there are circumstances where more practical options are available, particularly for immature annual Crops, or short rotation Crops.

The challenge in establishing guidelines is in determining appropriate values of assets, especially in situations where there are no established markets. The concept applied is, at the time of Crop destruction where the Crop is immature or it is a perennial Crop, what price would an owner and a person wishing to lease the Crop/land agree on under normal circumstances. This is equal to the discounted net present value of the income/cost stream that can be earned from taking on the lease and continuing the same line of production. For annual broad-acre Crops, the conceptual lease time would be from the time of Crop destruction until harvest, as there is no need to consider subsequent largely independent Crops. For perennial Crops the conceptual lease time may spread over several rotations.

Establishing guidelines involves taking into account several factors and finding an acceptable balance between them.

- Guidelines should be consistent with the basic principles.
- They should be relatively simple and easy to understand.
- They should be easy to administer with administration costs kept to a minimum.

[10] The term 'pests' will be used throughout this report to refer generally to pests and pathogens of plants.

- They should be aimed at providing owners with an incentive to report suspected exotic pest incursions — owners should be no better or worse off.
- Yet the costs of providing Owner Reimbursement Costs to owners affected by a Response Plan should not be so high as to frequently make the benefits of eradication less than the costs, and no eradication attempted.

**Annual Broad Acre Crops**

Based on the general guideline outlined above, the time of valuation should be at the time the Crop is destroyed. This presents no difficulties if the Crop is destroyed shortly before harvest, but there is no effective market value for an immature Crop which is destroyed as part of the Response Plan. Owner Reimbursement Costs could be based on long term average prices and yields, but this would mean that the partners to cost sharing (governments and industry) would take much of the risk in production from the time of Crop destruction to harvest. There would be inequities, for example, if the year turned out to be a drought year and the growers affected by the Response Plan received average yields whereas all other growers in surrounding areas achieved drought yields, and affected growers would undoubtedly also have otherwise achieved drought yields.

Consequently, the approach adopted is to delay Owner Reimbursement Costs until harvest time and base payments on the actual outcomes on prices and yields for the district at that time. The value of the immature Crop destroyed is taken as an estimate of the final Crop value at farm gate less harvesting costs, less any production costs that would normally have been incurred between the time of Crop destruction and harvest. Growers would not normally receive payment for their Crop until harvest anyway so this approach would leave them no better or worse off.

Farm gate value is here defined as the value of produce produced on the farm and sold at first point of "sale"(for example the local silo for grains) less the estimated or actual transport cost and selling costs from farm gate to first point of sale.

**Recommendation for Annual Broad Acre Crops**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

$$ORC = (A - B) + C + D + E - F + G$$

where:

A = Estimated farm gate value of the Crop(s) destroyed which would otherwise have been harvested, where the timing of valuation is normal harvest time.

$$= a * y * p$$

where:

a = area of Crop destroyed

y = estimated yield of the Crop destroyed

$$= \frac{\text{regional average yield in year t} \; * \; \text{Claimant's yield in year t–1}}{\text{regional average yield in year t–1}}$$

Where the whole district is seriously affected by the pest being eradicated and regional yields are clearly distorted, the yield (y) for the determination of Owner Reimbursement Costs paid by the applicable State/Territory will be taken as the regional average for the five years to year t–1.

Yields protected by insurance policies would be protected under this Method of Valuation (to the extent that the Owner is not able to recover under the insurance policy) and any insurance premiums are not to form part of Owner Reimbursement Costs.

p = estimated farm gate price (local silo cash price less transport costs between farm gate and silo) at the time of harvest. Specifically, the average price for the two calendar months over which the bulk of regional harvest takes place. Where no cash prices are posted, prices are to be taken as the estimated pool return for the type and quality of Crop which was destroyed. In the event that an Owner has taken out a forward contract to deliver grain at a specific price, assessment of 'p' is to be based on this contract price rather than the cash silo price. Price is to reflect the quality of product that would otherwise have been delivered. Owners would need to demonstrate quality by way of variety sown and/or recent farm history.

In the event of there being no obvious local delivery point where cash prices are posted, the average district price (based on deliveries to closest end users or port) is to be used as the basis for payment.

B = 'Best practice' harvesting costs plus any other costs normally associated with Crop production between the time of Crop destruction and harvest.

Such costs are to be standardised for the region based on estimates by State/Territory departments of agriculture.

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of profits from fallow land in subsequent years where land is required to be fallowed as part of the Response Plan.

Owner Reimbursement Costs are to be restricted to loss of profits for a maximum of three years. Methods of estimating loss of profits are the same as for the year in which the Crop is destroyed and include deductions for ground preparation and planting costs normally associated with Crop production. Such costs are to be standardised, based on 'best practice' and estimated by State/Territory departments of agriculture. Any payment of Owner Reimbursement Costs by the applicable State or Territory is to be made after harvest in that region each year.

F = Profits that could be earned from the next best alternative enterprise, produced with the same resources, on the land where the Crop is destroyed and permitted by the Response Plan.

Unless the Response Plan requires the land to be fallow, deductions are to be made on the assumption that the Owner chooses the next most profitable enterprise that could be undertaken with existing capital equipment. Gross margins for these alternative enterprises are to be standardised, based on 'best practice' and estimated by State/Territory departments of agriculture. This applies only in the year in which the Crop is destroyed. Where a strict fallow in subsequent years is not required under the Response Plan — that is, any alternative enterprise can be undertaken except production of the Crop concerned in the Response Plan, Owner Reimbursement Costs are not to include the difference in profits for the Crop in question and any alternative enterprise.

G = Value of any stored grain or other produce on-farm destroyed as part of the Response Plan. The value is to be in-silo value based on local market values less transport and handling costs at the time of destruction of the stored grain.

Where a Crop has to be destroyed shortly after planting and there is a reasonable opportunity to plant an alternative Crop, the Owner may choose to be reimbursed for the costs of destroying the Affected Crop and planting the alternative Crop. Otherwise, the above formula will apply.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Annual Short Rotation Crops (Vegetables/Strawberries/Nursery Seedling Producers/Nursery Wholesale)**

These Crops include vegetables, strawberries and nursery seedlings. While in some cases an annual Crop is produced, a general characteristic of these Crops is that several 'harvests' are made during the growing season and growers will organise their business to have a constant turnover. A lettuce grower, for example, will have Crops at different stages to produce commercial quantities of fresh produce at regular intervals.

The basic principles and formula for Owner Reimbursement Costs applying to annual broadacre Crops should also apply in this case, even though harvests are made at different intervals throughout the growing season rather than at the end.

**Recommendations**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – B) + C + D + E – F + G

where:

A = Estimated farm gate value of the Crop(s) destroyed.

= a * y * p

where

a = area of Crop destroyed

y = yield

or a and y might refer to number of units expected to be sold, such as a number of punnets of seedlings.

The yield estimate is to take into account the type of Crop destroyed. Strawberries, for example, have a high yield in the first year, but a much lower yield in the second year.

p = farm gate price

= either:

the average market price for the season in the region or marketplace where normal sales take place; or

where there are signed contracts with the price stipulated on the contract, the contract price

less any transport or selling costs.

B = Harvesting costs plus any other costs normally associated with Crop production between the time of Crop destruction and selling or harvesting. This is to include normal treatment or packaging and handling costs on farm for some harvested produce (for example washing or dipping of products).

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense — including cleaning of equipment or glasshouses etc.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of profits from a Response Plan requirement to fallow land or keep glasshouses empty.

These ORC are only available where the Response Plan requires a fallow period that exceeds ten weeks and are to be restricted to loss of profits for a maximum of three years. Profits are to be based on standardised gross margins data from State/Territory departments of agriculture, based on 'best practice'. However, in some cases, for example where glasshouses are involved, profit estimates may need to be based on documentation of profits from previous years.

F = Profits that could be earned from the next best alternative enterprise, produced with the same resources, on the land where the Crop is destroyed and permitted by the Response Plan — as determined in accordance with the definition of 'F' in clause 4.4.11.

G = Value of any stored produce on farm destroyed as a directive of the Response Plan — as for annual broadacre Crops.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Perennial Trees/Vine Crops/Nut Crops/Nursery Bare Root Stock Production/Large Bare Rooted Plants**

This category of plants includes all commercial fruit trees such as citrus and stone fruits, pome fruits, nut trees, all vine Crops, longer-term nursery bare root stock production and large bare rooted nursery plants including trees.

**Orchard tree Crops**

All these Crops have in common a normal rotation cycle which is more than one year. For example, apples generally have a rotation cycle of around 25 years with a first Crop at around two to three years and first commercial Crop at around year seven.

When a Response Plan involves the destruction of an orchard or vineyard, the normal rotation cycle is interrupted. Tree replacement is brought on sooner, sometimes with a fallow period to control the pest. Apart from reimbursement for destruction of the fruit in the year the orchard is destroyed as part of a Response Plan, the issue is how growers should be reimbursed for destruction of the trees. Reimbursement is for loss in value of the orchard/land asset. Conceptually, the orchard's value is equal to the sum of the discounted stream of net profits which could in future be earned from the orchard/land — including account taken of future tree replacements. This is the price a person wanting to lease the orchard under normal conditions would agree to pay the owner to lease the asset.

If growers are reimbursed for the full cost of pulling out the trees and replanting them, then some will be better off depending on how old the orchard or vineyard is. If it is at or near the end of its rotation then, in effect, governments and industry would be paying for the removal and replanting costs when under normal circumstances, the owner would meet these costs anyway. The owner would be much better off.

Two methods have been examined that address this issue.

The first method is to apply a 'depreciation' factor to all costs associated with a change in the rotation — tree removal, replanting costs and the period of lost income when trees are immature. Thus, if the orchard had only just reached commercial production and had to be destroyed, the full costs of replanting the orchard would be included plus any lost income during the immature period. However, if the orchard, when destroyed, was in the year when it would have been destroyed and replaced under normal circumstances, then costs of replacement would not be included in Owner Reimbursement Costs. A straight-line depreciation schedule would be applied between these two extremes.

The second method is where replacement payments would be based on the difference between the sums of two discounted net profit/cost streams. One stream would be the normal rotation cycle over several cycles — three cycles are suggested. The other stream would be the new set rotation cycles caused by the Response Plan. All tree replacement costs would be brought forward in the discounting procedure.

The Second method is perhaps the more theoretically correct of the two, but Owner Reimbursement Costs are somewhat sensitive, in some cases to the length of time over which discounting takes place. This may be a source of uncertainty for many Crops. The calculations are quite straightforward but the method is likely to be harder for growers to understand. For this reason it may be better to adopt method one. In both cases, information will be needed on a standard rotation pattern for each Crop. This could be agreed upon by industry associations for purposes of calculating Owner Reimbursement Costs.

For some nut tree Crops, vines and also pears, the rotations are very long, in some cases approaching 100 years. Method one could still be applied. It would mean, however, that for most commercial vineyards which have relatively recently been planted, owners would receive virtually full replanting costs.

**Recommendations**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – B) + C + D + E + F + G + H + I

where

A = Loss of profit from the current Crop destroyed.

= a * y * p

where

a = area of tree Crop destroyed

y = expected yield based on Owners' past records, taking into account any biennial bearing patterns. In particular, Owners claiming above average yields (and prices) must produce auditable records of above average returns in previous years to justify additional amounts in Owner Reimbursement Costs.

If the Owner has no records, the regional average for that Crop is to be used.

p = market price at farm gate at harvest time

B = Harvesting costs based on ‘best practice’ as estimated by State/Territory departments of agriculture, plus any other costs (such as watering or pruning costs) normally associated with Crop production between the time of tree destruction and harvest.

C = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense.

D = Replacement value of any capital items destroyed as part of the Response Plan.

E = Loss of net profits for any fallow period required by a Response Plan.

Net profit is to be standardised based on regional gross margins calculations for the Crop in question by State/Territory departments of agriculture.

F = Tree destruction costs ‘depreciated’ depending on the age of the orchard in relation to a standardised period of rotation for the tree Crop in question.

Depreciation is to be based on a straight line method between full cost reimbursement at the beginning of commercial production of the rotation and the end of the rotation.

G = ‘Depreciated’ tree replanting costs as for tree destruction costs.

H = ‘Depreciated’ loss of profit during the non-bearing period of immature trees.

I = Value of any stored produce on farm destroyed as a directive of the Response Plan including seed or nuts — as for annual broadacre Crops.

If there is an opportunity following the Response Plan for modernising or upgrading the orchard — for example, closer tree plantings, more expensive varieties, or trellis plantings, the level of Owner Reimbursement Costs is to be related strictly to replacing the asset that was there. If an Owner wants to introduce more technology or better infrastructure, for example, the Owner must cover any additional costs.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Broad Acre Perennial Crops**

This group of plants includes sugar cane, bananas and other such Crops. Owner Reimbursement Costs can be calculated in exactly the same way as for orchard trees. Generally, the broadacre perennial Crops have a shorter rotation cycle, but the principles are the same.

**Recommendations**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = (A – H) + B + C + D + E + F + G

where

A = Value of the Crop destroyed

= a * y * p

where

a = Area of Crop destroyed.

y = Yield which depends on the type of Crop destroyed — for sugar, for example, whether it is a plant Crop or ratoon Crop as yields vary from year to year. For this reason, yield *y* is to be based on distinct average yields for the type of Crop destroyed — for example, ratoon or plant Crop.

p = Market price of the product.

= The average regional market price over the previous 12 months valued at farm gate.

B = Any costs of Crop destruction 'depreciated' in the same way as for perennial tree Crops.

C = Any other costs incurred by the Owner as a direct result of the Response Plan and not normally incurred as a production cost.

D = 'Depreciated' Crop replanting costs as for perennial tree Crops.

E = Loss of net profit from compulsory fallow, where fallow would not normally be part of the rotation cycle. Net profit to be standardised and based on regional gross margin estimates by State/Territory departments of agriculture

averaged over the rotation cycle. A maximum of three years fallow is to be included.

F = Replacement value of any capital items destroyed as part of the Response Plan.

G = Value of any stored produce on farm destroyed as a directive if the Response Plan — as for annual broadacre Crops.

H = 'Best practice' harvesting costs plus any other costs normally associated with

Crop production between the time of Crop destruction and harvest. Such costs are to be standardised for the region based on estimates by State/Territory departments of agriculture.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Nursery Root Stock Production and Nursery Large Rooted Plants**

For these enterprises, the returns to the owner accrue when the root stock or trees are sold and, in most cases, they can be sold at any stage past an initial juvenile stage. There is no annual production as in the case of orchard trees. Also in most cases, there will be a market value for the trees at nearly all stages. Hence, Owner Reimbursement Costs should be based on the market value of the trees or root stock less any production costs.

**Recommendations**

Costs which may be paid as Owner Reimbursement Costs are to be calculated as follows:

ORC = A + B + C + D

where:

A = Market value or estimated market value of the plants at the time of their destruction.

B = Direct costs associated with the Response Plan incurred by the Owner but not normally incurred as a production expense. This includes tree destruction costs.

C = Replacement value of any capital items destroyed as part of the Response Plan.

D = Any stocks on hand which are destroyed due to the Response Plan.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Nurseries, Retail**

No Owner Reimbursement Costs will be paid under this category.

**Bees, Hives, Honey and Associated Products**

The beekeeping industry has several sectors. The most common is that sector which uses normal hives to produce honey, bees wax and several other minor products. Specially adapted hives are used by some producers to produce pollen in addition to honey. A third sector derives income by providing pollination services for orchardists. Other specialist beekeepers produce queen bees, while others maintain nucleus hives.

Owner Reimbursement Costs following an exotic pest incursion necessitating destruction of hives should be based on the value of the asset destroyed. That is, the value of the hive plus queen bee plus colony. Owner Reimbursement Costs would therefore amount to replacement value for the particular colony destroyed. There are recognised market values for these.

Where beekeepers lose income, for example, because they can no longer provide pollinating services to orchardists, Owner Reimbursement Costs should not include this loss of income as it is a consequential income loss. To the extent that this may cause particular hardship to some beekeepers, other welfare or adjustment programs may be considered. But the principles of underlying Owner Reimbursement Costs under the plant deed, based on change in asset values, should not be compromised.

Owner Reimbursement Costs would not include loss of product (say honey) value as a result of contamination resulting from a Response Plan action for another industry. For example, if a Response Plan for apples involved spraying trees with insecticide and as a result pollen became contaminated and rendered the honey produced unsaleable, beekeepers would not receive Owner Reimbursement Costs. There are several reasons for this. First, this is a consequential income loss. Second, in this example, beekeepers would not be contributing to the overall costs of the Response Plan relating to apples. And third, in most cases, there would be considerable uncertainty and dispute about the source of any contamination of the honey.

**Recommendations**

Bees and their hives are defined as included under Crops. However for the avoidance of doubt, costs which may be paid as Owner Reimbursement Costs to the owners of bees and their hives are to be calculated as follows:

ORC = A + B + C + D + E + F + G

where:

A = Value of the particular hive destroyed.

B = Value of the queen bee destroyed.

C = Value for the bee colony component.

D = Replacement value for any other capital items destroyed.

E = Any other costs incurred by the beekeeper as a direct result of the Response Plan and not normally incurred.

F = Value of any honey stocks destroyed.

G = the loss of the estimated Farm Gate Value of products foregone, less beehive operating costs, resulting from a requirement under a Response Plan that for a specified period bees be quarantined in, or excluded from, a specified area, if applicable.

with such costs and values being determined in accordance with guidelines issued by Plant Health Australia as set out in Schedule 17.

**Properties with multiple enterprises**

Many properties have multiple enterprises and cases may arise where properties are placed under quarantine, which may prevent any produce leaving the property. This may necessitate produce being destroyed on the property even though it is not directly attacked by the exotic pest that is being eradicated. But this other produce may act as a transmission agent for the pest. The question is, should grower Owner Reimbursement Costs be made for the produce not directly affected by the pest but made unsaleable as a direct result of the quarantine order?

**Recommendation**

In the case of multiple enterprises, produce not directly affected by the pest being eradicated but which is rendered valueless, say, because it is a perishable commodity that cannot be sold because of quarantine restrictions should be eligible for Owner Reimbursement Costs. The principle underlying the amount of Owner Reimbursement Costs should be the same as for produce which is susceptible to the pest and must be destroyed as part of the eradication program.