



Title	Issuing noxious weed permits	Version	02
Policy no.	O-068	Effective date	17/07/2008
Authorised by	Executive Director Agriculture Biosecurity and Mine Safety	Authorisation date	17/07/2008

1. OVERVIEW

This policy was developed to define the circumstances in which Noxious Weed Permits under the *Noxious Weeds Act 1993* will be provided

2. BACKGROUND

The sale and movement of noxious weeds and noxious weed material, the sale and movement of certain materials contaminated with noxious weed material and some uses of land are prohibited or restricted by the *Noxious Weeds Act 1993* (the Act). Under Section 34 of the Act, the Minister may issue a permit to allow activities to be undertaken for certain purposes and within particular conditions. The Minister has delegated this power to the Manager Weeds. In practical terms, such a permit provides the holder with exemptions from some provisions of the Act and so must be managed cautiously.

3. SCOPE

This policy applies to the Manager Weeds and Weed Management Unit regional staff. It covers all circumstances in which a permit may be required to exempt an activity from the provisions of the Act.

4. POLICY

- 4.1. Permits will only be issued where the activity for which the permit is given furthers the Objects of the Act as stated in Section 3 of the Act.
- 4.2. Permits will be issued for a maximum period of one calendar year from the date of issue.
- 4.3. Permits will not be automatically extended or renewed on expiry. A new permit must be applied for.
- 4.4. A permit may be revoked or amended at any time.
- 4.5. Having previously held a permit does not automatically entitle a person to a further permit.
- 4.6. Permits for noxious weeds may only be issued for the following purposes:
 - scientific research
 - education
 - movement directly to another site for destruction
 - maintaining populations of biological control agents
 - distributing biological control agents.
- 4.7. The general conditions of a permit must ensure that the plant or plant material cannot be spread.

- 4.8. In addition to any other condition imposed, the conditions of any permit for scientific research must ensure that:
- The plant or plant material is contained or housed in such a way that it prevents escape or spread.
 - There is an agreed and documented procedure for the safe destruction of the plant or plant material on completion of the project.
 - The holder of any permit must maintain any records and documentation that are part of the permit conditions and provide these to the NSW Department of Primary Industries on request.

5. PROCEDURES

- Issuing noxious weed permits (NSW DPI procedure)

6. DEFINITIONS

noxious weed any plant or plant taxa that has been declared to be a noxious weed under the provisions of Section 7 of the *Noxious Weeds Act 1993*.

Weed Control Class the Weed Control Class or Classes which have been applied to a noxious weed in accordance with Section 8 of the *Noxious Weeds Act 1993*.

biological control agent an organism that has been legally introduced into Australia or NSW specifically to assist in the control of a declared pest species.

destruction a process in which a weed, its propagules or weed materials are rendered incapable of growth and propagation. This includes taking or selling contaminated produce or livestock directly for processing if that processing renders the weed or its propagules incapable of growth and propagation.

7. RELATED LEGISLATION

Noxious Weeds Act 1993

8. RELATED POLICIES

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9. RELATED DELEGATIONS

Delegation of Minister powers under *Noxious Weeds Act 1993* Section 34 to Manager Weeds Management.

10. RELATED DOCUMENTS

Application and Guidelines for a Permit under the *Noxious Weeds Act 1993*

11. REVISION HISTORY

Version	Date
01 (as PP8)	05 July 2006
02	17 July 2008

12. DATE OF NEXT REVIEW

17 July 2013

13. CONTACT OFFICER

Manager Weeds Management