



New South Wales

# Noxious Weeds Amendment Regulation 1997

under the

Noxious Weeds Act 1993

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Noxious Weeds Act 1993*.

RICHARD AMERY, M.P.,

Minister for Agriculture

## Explanatory note

The *Noxious Weeds Act 1993* provides for the inspection of certain agricultural machines brought into New South Wales from Queensland. (See section 31, as replaced by the *Noxious Weeds Amendment Act 1997*.) In order to prevent the spread into New South Wales of notifiable weeds that are prevalent in Queensland (including parthenium weed), such agricultural machines can only be moved within New South Wales if an inspector is satisfied that the relevant machines have been cleaned as required by the regulations made under the Act.

The objects of this Regulation are:

- (a) to set out the requirements for cleaning agricultural machines to which section 31 of the Act applies, and
- (b) to amend the Schedule of offences prescribed for the purposes of the penalty notice provisions of the Act (as a consequence of the repeal and re-enactment of section 31 of the Act by the 1997 Act), and
- (c) to prescribe the kind of traffic sign to be used by an inspector in a quarantine area directing drivers of approaching vehicles to stop their vehicles (under section 34B of the Act, as inserted by the 1997 Act).

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Explanatory note

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This Regulation is made under the *Noxious Weeds Act 1993* including section 31 (as replaced by the *Noxious Weeds Amendment Act 1997*), section 34B (as inserted by that Act), section 63 (Penalty notices for certain offences) and section 73 (the general regulation-making power).

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## Noxious Weeds Amendment Regulation 1997

### 1 Name of Regulation

This Regulation is the *Noxious Weeds Amendment Regulation 1997*.

### 2 Commencement

This Regulation commences on 7 November 1997.

### 3 Amendment of Noxious Weeds Regulation 1993

The *Noxious Weeds Regulation 1993* is amended as set out in Schedule 1.

### 4 Notes

The explanatory note does not form part of this Regulation.

## Schedule 1 Amendments

(Clause 3)

### [1] Clauses 6 and 7

Insert after clause 5:

#### 6 Cleaning of agricultural machines: section 31

For the purposes of section 31 of the Act, an agricultural machine to which that section applies is cleaned as required by the regulations if it is cleaned in accordance with Schedule 2.

#### 7 Prescribed type of traffic sign: section 34B

- (1) For the purposes of section 34B (I) of the Act, the prescribed kind of traffic sign is a stop sign in or to the effect of the sign illustrated in Schedule 3.
- (2) The sign must, if not illuminated, be fitted with reflectors or other retro-reflecting material.

### [2] Schedule 1

Omit the matter relating to section 31 (1) and (3) from Columns 1–3.

Insert instead:

Section 31 (4)	move/permit movement of/ non-complying agricultural machine	\$200
Section 31 (7)	fail to produce declaration on demand	\$200

**[3] Schedules 2 and 3**

Insert after Schedule 1:

**Schedule 2 Cleaning of agricultural machines**

(Clause 6)

**1 Meaning of “clean”**

In this Schedule, an obligation to clean an agricultural machine can be satisfied either:

- (a) by removing all plant material, dust or soil, and any accumulation of grease from the machine, or
- (b) by using a treatment to sterilise seed in or on that machine, but only if that treatment cannot contaminate any material harvested by the machine in the future.

**2 Cleaning grain harvesters and comb trailers**

- (1) The exterior of a grain harvester or comb trailer (including any hollow sections of axles or structural components) must be cleaned.
- (2) The cabin and any storage containers attached to a grain harvester or comb trailer must be emptied and cleaned.
- (3) All parts of the interior of a grain harvester (including the areas above the stone guards/skid plates and within augers) must be cleaned. This must be done even if it requires the removal of inspection plates or other components of the machine to provide access to the relevant parts.
- (4) Any part of a grain harvester or comb trailer that has been sealed (either at manufacture or afterwards) is not required to be cleaned if it has been sealed in such a way that no plant material, dust or soil could enter the part.

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Schedule 1      Amendments

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- (5) Without limiting subclauses (1)–(4), the following areas of every grain harvester (as indicated in Diagram 1) must be cleaned:
- (a) Area 1: the area under the skid plate,
  - (b) Area 2: each header knife and finger,
  - (c) Area 3: the auger located horizontally across the header,
  - (d) Area 4: the area behind any cover on the header,
  - (e) Area 5: the area within any belts on any draper front (if fitted),
  - (f) Area 6: the feeder house,
  - (g) Area 7: the driver’s cab compartment floor area,
  - (h) Area 8: the cleaning fan and the area between the bottom of the fan housing and any shield under the fan housing,
  - (i) Area 9: the chassis, including the inside of any chassis rail ledges, back axle-beam and undercarriage areas,
  - (j) Area 10: any tailing auger
  - (k) Area 11: any sieve area, including the full length and width of the grain pan,
  - (l) Area 12: any grain bin area, including any auger,
  - (m) Area 13: the engine compartment, including the radiator core,
  - (n) Area 14: any grain or “repeat” elevator including any cups and rubber flights,
  - (o) Area 15: any straw spreader or chopper,
  - (p) Area 16: any tyres and rims.

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- (6) Without limiting subclauses (1)–(3), the following parts of any conventional harvester (as indicated in Diagram 1) must also be cleaned:
    - (a) Area 17: the threshing or separating area, including the drum and concaves behind the rasp bars and lead-in plates and around concave wires,
    - (b) Area 18: the beater drum, including the area between the drum and walkers,
    - (c) Area 19: the straw walkers, including the beater and the chaff pan, underneath any straw walker and any concealed areas under rubber air flaps.
  - (7) Without limiting subclauses (1)–(5), the following parts of any rotary harvester (as indicated in Diagram 2) must also be cleaned:
    - (a) Area 17: the external top and sides of the conical section of the rotor cage,
    - (b) Area 18: the areas inside the top of the conical section,
    - (c) Area 19: the threshing or separating area, including along the rotor cage.

### **3 Bins for holding grain during harvest**

A bin for holding grain during harvest must be emptied and cleaned internally and externally.

### **4 Augers or similar equipment used for moving grain**

An auger, or any other similar equipment used for moving grain, must be cleaned internally and externally.

### **5 Vehicles used for transporting grain harvesters**

Any vehicle used for transporting a grain harvester across the border of New South Wales and Queensland must be cleaned by:

- (a) cleaning the cabin of the vehicle, and
- (b) cleaning all external areas of the vehicle, and
- (c) cleaning any storage container or box in or on the vehicle.

**6 Vehicles used as support vehicles with grain harvesters and that have been driven in paddocks during harvest operations**

Any vehicle that has either a utility or truck body, that is accompanying a grain harvester as a support vehicle and that has been driven in a paddock during harvest operations must be cleaned by:

- (a) completely emptying any contents in the tray or top of the truck, and
- (b) cleaning all external areas of the vehicle, and
- (c) cleaning any storage container or box in or on the vehicle, and
- (d) cleaning the radiator of the vehicle.

**Diagram 1:**

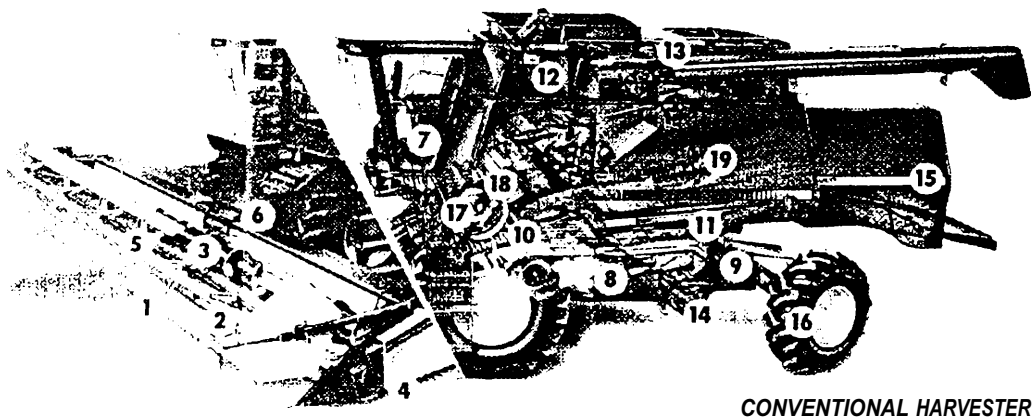
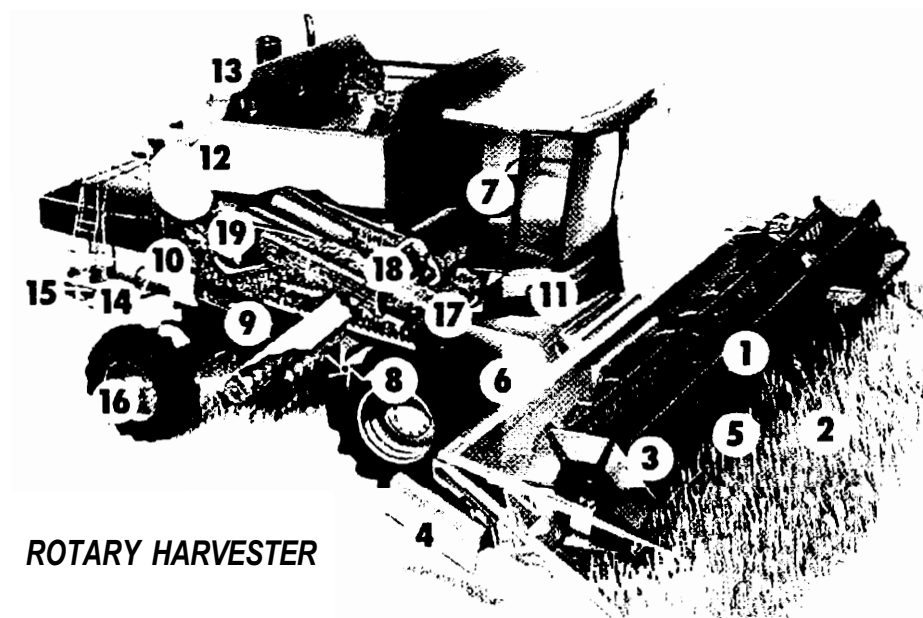




Diagram 2:



**Schedule 3 Prescribed type of traffic sign**

(Section 7)

