

Ref: D26/50473

GROUP BIOSECURITY PERMIT

NSW Biosecurity Act 2015

I, Shane Hetherington

in accordance with section 356 cancel group permit D26/121, and in accordance with section 333 and 336 of the *Biosecurity Act 2015* (**the Act**), hereby grant a group permit to the following persons:

All persons

This group permit authorises the following conduct that, but for the group permit, would or might contravene a requirement imposed by or under the Act (subject to stated conditions of this group permit):

Moving, or causing the movement of a tomato potato psyllid (*Bactericera cockerelli*) carrier into the whole of New South Wales (TPP Control Zone) contrary to clause 15 of the *Biosecurity (Tomato Potato Psyllid) Control Order 2024*.

This group permit is subject to the following conditions:

A person may move TPP carriers into the TPP Control Zone if:

1. the TPP carrier that is;
 - a. any whole plant that does not have any leaves, or other green plant material attached to them, or
 - b. any whole plant intended for immediate consumption such as harvested root vegetables with tops or harvested and packaged leafy vegetables with roots such as hydroponically grown lettuce or herbs, or
 - c. any tissue culture; and
 - d. the consignment that contains the TPP carrier has a label or identifier stating the name and postcode of the city or town nearest to the place the TPP carrier was both grown and packed.
2. the TPP carrier that is nursery stock;
 - a. has been treated with an insecticide that is effective against all life stages of tomato potato psyllid (TPP) in accordance with APVMA approved label directions and permit conditions; and
 - b. the consignment of nursery stock has been inspected for the presence of TPP and found free of TPP; and
 - c. immediately after inspection, the nursery stock is packed in a manner to prevent infestation with TPP; and

Ref: D26/50473

- d. all consignments are accompanied with a Plant Health Certificate, or a Plant Health Assurance Certificate issued in accordance with Certification Assurance scheme procedure *ICA-62 Treatment and inspection of Carrier Nursery Stock for Tomato Potato Psyllid* certifying that conditions 1a., b., and c. have been met; or
3. the TPP carrier that is nursery stock;
- a. treated with an insecticide that is effective against all life stages of tomato potato psyllid (TPP) in accordance with APVMA approved label directions and permit conditions; or
- b. the consignment has been inspected for the presence of TPP and found free of TPP; or
- c. the host plant material is packed in a manner to prevent infestation with TPP; and
- d. all consignments are accompanied with a Plant Health Certificate, or a Plant Health Assurance Certificate issued in accordance the Interstate Assurance Certification procedure *PS-59 Treatment or inspection or secure packing of carrier nursery stock* certifying that one of the conditions 2a., 2b., or 2c. have been met.

Notes: The holder of this permit is still required to comply with all other provisions of the *Biosecurity Act 2015*.

Commencement:

Date of signing

Ends on:

15th October 2026

Definitions:

If applicable

APVMA means Australian Pesticides and Veterinary Medicines Authority

inspected means carrier nursery stock within the consignment have been randomly selected and inspected at the rate of 2% of the consignment package/carton count of the consignment and found free of live tomato potato psyllid. The total number of units inspected per consignment is capped at 600. A minimum of three (3) packages/cartons must be inspected per consignment, regardless of the 2% sampling rate or the 600-unit cap.

nursery stock means any whole plant from the Plantae kingdom excluding TPP host

packed in a manner to prevent infestation means

- (i) packed in unvented packages, or
- (ii) packed in vented packages with the vents secured with mesh that has a maximum aperture of 1.6mm, or
- (iii) packed by wrapping or bagging in sealed plastic sleeves or bags, or
- (iv) packed as a consignment that is fully enclosed under tarpaulins, hessian, shade cloth, mesh or other covering which has a maximum aperture of 1.6mm, or
- (v) packed as a consignment that is shrink-wrapped and sealed as a palletised unit

Ref: D26/50473

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

TPP host plant material means any whole plant from the Convolvulaceae and Solanaceae families.

Unit means a final individual package that the consigned product will be marketed in and may include a box, carton, pot or other similar packaging.

Note: Unless otherwise specified in this permit, words and expressions have the same meaning as they have in the *Biosecurity Act 2015* and instruments made under that Act.

Shane Hetherington

Authorised officers name



Signature

Chief Plant Protection Officer

Role

29 April 2026

Date

NSW Department of Primary Industries and
Regional Development

Agency

Failure to comply with the conditions of the permit could result in a penalty notice or prosecution. The maximum penalty for an individual is \$1,100,000. The maximum penalty for a corporation is \$2,200,000.

This information is collected by the collecting agency identified in this form in relation to its functions under the *Biosecurity Act 2015*. This agency/s and the NSW Department of Industry may use and disclose this information as reasonably necessary for the purpose of performing biosecurity risk functions under, or reasonably contemplated by, the *Biosecurity Act 2015*.

Guide to the Group Biosecurity Permit

Information about the group biosecurity permit

This permit is issued under section 333 and section 336 of the *Biosecurity Act 2015* (the Act). A person is not guilty of an offence against this Act or the regulations under this Act if the person was authorised to engage in the conduct alleged to constitute the offence concerned by a permit in force under this Act.

It is an offence to contravene a condition of a permit.

Penalty for not complying with the group biosecurity permit

The maximum penalty is:

- in the case of an individual – \$220,000 and, in the case of a continuing offence, a further penalty of \$55,000 for each day the offence continues, or
- in the case of a corporation – \$440,000 and, in the case of a continuing offence, a further penalty of \$110,000 for each day the offence continues.

The maximum penalty for an offence that is committed negligently is:

- in the case of an individual – \$1,100,000 and, in the case of a continuing offence, a further penalty of \$137,500 for each day the offence continues, or
- in the case of a corporation – \$2,200,000 and, in the case of a continuing offence, a further penalty of \$275,000 for each day the offence continues.

Conditions of a group biosecurity permit

Under sections 348, 349 and 350 of the Act, an authorised officer may impose conditions on a permit at the time of granting or renewing a permit, or at any other time by variation to the permit. The conditions of a permit may include (but are not limited to) conditions for insurance cover, conditions for biosecurity audits, and conditions requiring financial assurances.

Limitations of a group biosecurity permit

A permit does not authorise any conduct in contravention of an emergency order, or a biosecurity direction given in the case of an emergency unless the permit is an emergency permit and the permit is expressed to apply in relation to the emergency concerned.

An authorised officer is not authorised to grant, renew, suspend or cancel an:

- *Emergency permit*, which authorises conduct that, but for the permit, would or might contravene an emergency order, or a biosecurity direction in the case of an emergency, and that is expressed to apply to the emergency concerned.
- *Prohibited matter permit*, which authorises dealing with biosecurity matter that is prohibited matter.

Variation of a group biosecurity permit

Under section 344 of the Act, an authorised officer may, at any time, vary a permit by notice in writing. The variation includes the imposition of new conditions on a permit, the substitution of a condition, or the omission or amendment of conditions.

An application for variation to this permit can be made by the permit holder in an approved form and must be accompanied by any relevant information or evidence that the decision maker requires.

Refusal to grant / renew a group biosecurity permit

An authorised officer may on application or using their own initiative, renew or refuse to renew a permit. Section 346 of the Act sets out matters that the Secretary may consider when making a decision to renew or refuse a permit. An authorised officer must give an applicant written or oral notice of a decision to renew or refuse to renew a permit. If a notice is provided orally, a written confirmation of the decision must be provided as soon as practicable.

Suspension or cancellation of a group biosecurity permit

An authorised officer may, by notice, suspend or cancel a permit if the authorised officer is satisfied that there are grounds for the suspension or cancellation of the permit. Section 352 of the Act sets out general grounds for suspension or cancellation of a permit.

A person may also apply for the suspension or cancellation of a permit.

Rights of appeal

No appeal can be laid against any decision about a group permit.

For all biosecurity matters please contact NSW Department of Primary Industries on 1800 680 244 or biosecurity@dpi.nsw.gov.au