



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT ELDORADO FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, Joe Helper, Minister for Agriculture, under section 20 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 14 February 2007

JOE HELPER MP  
Minister for Agriculture

1. **Objective**

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Eldorado, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

2. **Authorising provisions**

This Order is made under section 20 of the **Plant Health and Plant Products Act 1995**.

3. **Definition**

In this Order –

“**accreditation program**” means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

“**Act**” means the **Plant Health and Plant Products Act 1995**;

“**authorised person**” means a person authorised by the Department of Primary Industries;

“**inspector**” means a person authorised as an inspector under the Act;

“**Manager Plant Standards**” means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

“**Queensland fruit fly**” means the exotic pest *Bactrocera tryoni* (Froggatt); and

“**Queensland fruit fly host material**” means any fruit or vegetable listed in Schedule 1.

4. **Restricted area for the control of Queensland fruit fly**

The restricted area for the control of Queensland fruit fly is declared to be the area described in Schedule 2.

5. **Prohibitions, restrictions and requirements**

(1) The removal from the restricted area into any part of Victoria of any Queensland fruit fly host material is prohibited.

(2) Subclause (1) does not apply if the Queensland fruit fly host produce is –

(a) accompanied by an assurance certificate issued by an accredited person, a plant health declaration issued by an authorised person or a plant health certificate issued by an inspector certifying that the host produce has been treated in a manner approved by the Manager Plant Standards; and

(b) packed and labelled in accordance with any conditions prescribed by an accreditation program under which the produce is certified.

**SPECIAL**

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland fruit fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

#### 6. *Verification of Consignments*

Any Queensland fruit fly host produce removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

- (a) presented to an inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

#### Schedule 1

Abiu	<i>Pouteria caimito</i> (Ruiz & Pavon) Radlk. [Sapotaceae]
Acerola	<i>Malpighia glabra</i> L. [Malpighiaceae] <i>Malpighia emarginata</i> Sessé & Moc. ex DC. [Malpighiaceae]
Apple	<i>Malus domestica</i> Bork L. [Rosaceae]
Apricot	<i>Prunus armeniaca</i> L. [Rosaceae]
Avocado	<i>Persea americana</i> Mill. [Lauraceae]
Babaco	<i>Carica pentagona</i> Heilborn [Caricaceae]
Banana	<i>Musa acuminata</i> Colla [Musaceae]
Black Sapote	<i>Diospyros dignya</i> Jacq. [Ebenaceae]
Blackberry	<i>Rubus fruticosus</i> L. [Rosaceae]
Blueberry	<i>Vaccinium corymbosum</i> L. [Ericaceae]
Boysonberry	<i>Rubus ursinus</i> (Cham. & Schlenht) var. <i>loganobaccus</i> [Rosaceae]
Brazil Cherry	<i>Eugenia uniflora</i> L. [Myrtaceae]
Breadfruit	<i>Artocarpus altilis</i> (Parkinson) Fosberg [Moraceae]
Caimito (Star Apple)	<i>Chrysophyllum cainito</i> L. [Sapotaceae]
Cape Gooseberry	<i>Physalis peruviana</i> L. [Solanaceae]
Capsicum	<i>Capsicum</i> L. [Solanaceae]
Carambola (Starfruit)	<i>Averrhoa carambola</i> L. [Oxalidaceae]
Cashew Apple	<i>Anacardium occidentale</i> L. [Anacardiaceae]
Casimiro (White Sapote)	<i>Casimiroa edulis</i> Llave & Lex. [Rutaceae]
Cherimoya	<i>Annona cherimola</i> Miller [Annonaceae]
Cherry	<i>Prunus avium</i> L. [Rosaceae]
Chilli	<i>Capsicum annuum</i> L. [Solanaceae]
Citron	<i>Citrus medica</i> L. [Rutaceae]
Cumquat	<i>Fortunella japonica</i> (Thunb.) Swingle [Rutaceae] <i>Fortunella margarita</i> (Lour.) Swingle [Rutaceae]
Custard Apple	<i>Annona reticulata</i> L. [Annonaceae]
Date	<i>Phoenix dactylifera</i> L. [Arecaceae]
Dragon Fruit (Than Lung)	<i>Hylocereus undatus</i> (Haw.) Britt. & Rose [Cactaceae]

Durian	<i>Durio zibethinus</i> Murray [Bombacaceae]
Feijoa	<i>Acca sellowiana</i> (O. Berg) O. Berg [Myrtaceae]
Fig	<i>Ficus carica</i> L. [Moraceae]
Granadilla	<i>Passiflora quadrangularis</i> L. [Passifloraceae]
Grapefruit	<i>Citrus x paradisi</i> Macfad. (pro sp.) [Rutaceae]
Grumichama	<i>Eugenia braziliensis</i> Lam. [Myrtaceae]
Guava	<i>Psidium guajava</i> L. [Myrtaceae] <i>Psidium cattleianum</i> Sabine [Myrtaceae] <i>Psidium friedrichsthalianum</i> (O. Berg) Niedenzu [Myrtaceae]
Hog Plum	<i>Prunus umbellata</i> Ell. [Rosaceae]
Jaboticaba	<i>Myrciaria cauliflora</i> (C Martius) O Berg [Myrtaceae]
Jackfruit	<i>Artocarpus heterophyllus</i> Lam. [Moraceae]
Jew Plum	<i>Spondias cytherea</i> Sonn. [Anaradiaceae]
Ju jube	<i>Ziziphus jujube</i> Miller [Rhamnaceae]
Kiwifruit	<i>Actinidia chinensis</i> Planchon [Actinidiaceae]
Lemon	<i>Citrus limon</i> L. Burm. f. [Rutaceae]
Lime	<i>Citrus aurantifolia</i> (Christm.) Swingle [Rutaceae]
Loganberry	<i>Rubus loganobaccus</i> L.H. Bailey [Rosaceae]
Longan	<i>Dimocarpus longan</i> Lour. [Sapindaceae]
Loquat	<i>Eriobotrya japonica</i> (Thunb.) Lindley [Rosaceae]
Lychee	<i>Litchi chinensis</i> Sonn. [Sapindaceae]
Mandarin	<i>Citrus reticulata</i> Blanco [Rutaceae]
Mango	<i>Mangifera indica</i> L. [Anacardiaceae]
Mangosteen	<i>Garcinia mangostana</i> L. [Clusiaceae]
Medlar	<i>Mespilus germanica</i> L. [Rosaceae]
Miracle Fruit	<i>Synsepalum dulcificum</i> (Schumacher & Thonn.) Daniell [Sapotaceae]
Mulberry	<i>Morus nigra</i> L. [Moraceae]
Nashi	<i>Pyrus pyrifolia</i> (Burm. F.) Nakai [Rosaceae]
Nectarine	<i>Prunus persica</i> (L.) Batsch var. <i>nucipersica</i> (Suckow) C. Schneider [Rosaceae]
Orange	<i>Citrus sinensis</i> (L.) Osbeck [Rutaceae]
Passionfruit	<i>Passiflora edulis</i> Sims [Passifloraceae]
Pawpaw	<i>Carica papaya</i> L. [Caricaceae]
Peach	<i>Prunus persica</i> (L.) Batsch [Rosaceae]
Peacharine	<i>Prunus persica</i> (rar.) <i>nucipersica</i>
Pear	<i>Pyrus communis</i> L. [Rosaceae]
Pepino	<i>Solanum muricatum</i> Aiton [Solanaceae]
Persimmon	<i>Diospyros kaki</i> L.f. [Ebenaceae]
Plum	<i>Prunus domestica</i> L. [Rosaceae]
Plumcot	<i>Prunus domestica</i> x <i>Prunus ameniaca</i> [Rosaceae]
Pomegranate	<i>Punica granatum</i> L. [Punicaceae]

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Prickly Pear	<i>Opuntia stricta</i> (Haw.) Haw. [Cactaceae]
Pummelo	<i>Citrus maxima</i> (Burm. f.) Merr. [Rutaceae]
Quince	<i>Cydonia oblonga</i> P. Mill. [Rosaceae]
Rambutan	<i>Nephelium lappaceum</i> L. [Sapindaceae]
Raspberry	<i>Rubus idaeus</i> L. [Rosaceae]
Rollinia	<i>Rollinia pulchrinervis</i> A. DC. [Annonaceae] <i>Rollinia mucosa</i> (Jacq.) Baill. [Annonaceae]
Santol	<i>Sandoricum indicum</i> Cav. [Meliaceae]
Sapodilla	<i>Manilkara zapota</i> (L.) van Royen [Sapotaceae]
Shaddock	<i>Citrus grandis</i> (L.) Osbeck [Rutaceae]
Soursop	<i>Annona muricata</i> L. [Annonaceae]
Strawberry	<i>Fragaria ananassa</i> Duch. [Rosaceae]
Sweetsop (Sugar Apple)	<i>Annona squamosa</i> L. [Annonaceae]
Tahitian Lime	<i>Citrus latifolia</i> Tanaka [Rutaceae]
Tamarillo	<i>Cyphomandra betacea</i> (Cav) Sendtner [Solanaceae]
Tangelo	<i>Citrus x tangelo</i> J. Ingram & H. Moore [Rutaceae]
Tomato	<i>Solanum lycopersicum</i> L. [Solanaceae]
Wax jambu (Rose Apple)	<i>Syzygium jambos</i> L. Alston [Myrtaceae]

#### Schedule 2

The area of land bounded by a line commencing at the intersection of the Great Alpine Road and the Hume Freeway, then in a north-easterly direction along the Hume Freeway to the intersection of the Hume Freeway and Benton Road, then in an easterly direction along Benton Road to the intersection of Benton Road and Vipond Road, then in a southerly direction along Vipond Road to the intersection of Vipond Road and Sanderson Road, then in an easterly and south-easterly direction along Sanderson Road to the intersection of Sanderson Road and West Triangle Road, then in a north-easterly direction along West Triangle Road, which becomes Water Trust Road, to the intersection of Water Trust Road and Edgar Track, then in a south-easterly direction along Edgar Track to the intersection of Edgar Track and Pine Road, then in a north-easterly direction along Pine Road to the intersection of Pine Road and Beechworth–Chiltern Road, then in a south-easterly direction along Beechworth–Chiltern Road to the intersection of Beechworth–Chiltern Road and Ponds Track, then in a south-westerly direction along Ponds Track to the intersection of Ponds Track and Malakoff Road, then in a south-easterly direction along Malakoff Road to the intersection of Malakoff Road and Old Tannery Road, then in a south-westerly direction along Old Tannery Road to the intersection of Old Tannery Road and Beechworth–Wangaratta Road, then in a south-westerly direction along Beechworth–Wangaratta Road to the intersection of Beechworth–Wangaratta Road and Boundary Road, then in a southerly direction along Boundary Road to the intersection of Boundary Road and White Post Road, then in a southerly direction along White Post Road to the intersection of White Post Road and the Great Alpine Road, then in a westerly direction along the Great Alpine Road to the point of commencement.

#### Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 145.52334° East, 36.30791° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate, for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

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**Plant Health and Plant Products Act 1995****ORDER DECLARING A RESTRICTED AREA AT BENALLA  
FOR THE CONTROL OF QUEENSLAND FRUIT FLY**

I, Joe Helper, Minister for Agriculture, under section 20 of the **Plant Health and Plant Products Act 1995**, make the following Order declaring a restricted area for the control of Queensland fruit fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 19 February 2007

JOE HELPER MP

Minister for Agriculture

**1. Objective**

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Benalla, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

**2. Authorising provisions**

This Order is made under section 20 of the **Plant Health and Plant Products Act 1995**.

**3. Revocation**

The Order made on 11 April 2006 and published in Government Gazette S110 on 11 April 2006 (pp 1–2) is revoked.

**4. Definition**

In this Order –

“**accreditation program**” means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

“**Act**” means the **Plant Health and Plant Products Act 1995**;

“**authorised person**” means a person authorised by the Department of Primary Industries;

“**inspector**” means a person authorised as an inspector under the Act;

“**Manager Plant Standards**” means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

“**Queensland fruit fly**” means the exotic pest *Bactrocera tryoni* (Froggatt); and

“**Queensland fruit fly host material**” means any fruit or vegetable listed in Schedule 1.

**5. Restricted area for the control of Queensland fruit fly**

The restricted area for the control of Queensland fruit fly is declared to be the area described in Schedule 2.

**6. Prohibitions, restrictions and requirements**

(1) The removal from the restricted area into any part of Victoria of any Queensland fruit fly host material is prohibited.

(2) Subclause (1) does not apply if the Queensland fruit fly host produce is –

(a) accompanied by an assurance certificate issued by an accredited person, a plant health declaration issued by an authorised person or a plant health certificate issued by an inspector certifying that the host produce has been treated in a manner approved by the Manager Plant Standards; and

(b) packed and labelled in accordance with any conditions prescribed by an accreditation program under which the produce is certified.

- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.
- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, strip Queensland fruit fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

#### 7. **Verification of Consignments**

Any Queensland fruit fly host produce removed from the restricted area in accordance with clause 6(2), and the accompanying certificate or declaration, must be:

- (a) presented to an inspector for inspection; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

#### **Schedule 1**

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Loquat	<i>Eriobotrya japonica</i> (Thunb.) Lindley [Rosaceae]
Lychee	<i>Litchi chinensis</i> Sonn. [Sapindaceae]
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Nectarine	<i>Prunus persica</i> (L.) Batsch var. <i>nucipersica</i> (Suckow) C. Schneider [Rosaceae]
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Pear	<i>Pyrus communis</i> L. [Rosaceae]
Pepino	<i>Solanum muricatum</i> Aiton [Solanaceae]
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Plum	<i>Prunus domestica</i> L. [Rosaceae]
Plumcot	<i>Prunus domestica</i> x <i>Prunus ameniaca</i> [Rosaceae]
Pomegranate	<i>Punica granatum</i> L. [Punicaceae]

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Sapodilla	<i>Manilkara zapota</i> (L.) van Royen [Sapotaceae]
Shaddock	<i>Citrus grandis</i> (L.) Osbeck [Rutaceae]
Soursop	<i>Annona muricata</i> L. [Annonaceae]
Strawberry	<i>Fragaria ananassa</i> Duch. [Rosaceae]
Sweetsop (Sugar Apple)	<i>Annona squamosa</i> L. [Annonaceae]
Tahitian Lime	<i>Citrus latifolia</i> Tanaka [Rutaceae]
Tamarillo	<i>Cyphomandra betacea</i> (Cav) Sendtner [Solanaceae]
Tangelo	<i>Citrus x tangelo</i> J. Ingram & H. Moore [Rutaceae]
Tomato	<i>Solanum lycopersicum</i> L. [Solanaceae]
Wax jambu (Rose Apple)	<i>Syzygium jambos</i> L. Alston [Myrtaceae]

#### Schedule 2

The area of land bounded by a line commencing at the intersection of Winton–Glenrowan Road and Wattle Creek Road, then in a south-easterly direction along Wattle Creek Road to the intersection of Wattle Creek Road and Grant Road, then in a straight line in a south-westerly direction to the intersection of Kilfeera Road and Vallender Lane, then in a straight line in a southerly direction to the intersection of Hartridge Road and Dennis Road, then in a straight line in a southerly direction to the intersection of Benalla–Tatong Road and Rothesay Road, then in a southerly direction along Rothesay Road to the intersection of Rothesay Road and Arnott Road, then in a north-westerly direction along Arnott Road to the intersection of Arnott Road and Knight Road, then in a straight line in a south-westerly direction to the intersection of Samaria Road and Mt Pleasant Road, then in a straight line in a westerly direction to the intersection of the Midland Highway and Swanpool–Warrenbayne Road, then in a north-westerly direction along Swanpool–Warrenbayne Road to the intersection of Swanpool–Warrenbayne Road and Dobson Road, then in a south-westerly direction along Dobson Road to the intersection of Dobson Road and Bridgie Lane, then in a north-westerly direction along Bridgie Lane to the intersection of Bridgie Lane, Benalla–Warrenbayne Road and James Road, then in a westerly direction along James Road to the intersection of James Road and Whites Road, then in a northerly direction along Whites Road to the intersection of Whites Road and Baddaginie–Warrenbayne Road, then in a north-westerly direction along Baddaginie–Warrenbayne Road to the intersection of Baddaginie–Warrenbayne Road and Warrenbayne West Road, then in a westerly direction along Warrenbayne West Road to the intersection of Warrenbayne West Road and Roach Road, then in a northerly direction along Roach Road to the intersection of Roach Road and Cook Road, then in a straight line in a north-westerly direction to the intersection of Curries Road and Robinson Road, then in a northerly direction along Robinson Road, which becomes Ross Road, to the intersection of Ross Road and Sloans Road, then in an easterly direction along Sloans Road to the intersection of Sloans Road and Griffens Road, then in a northerly direction along Griffens Road and Webb Road, then in a straight line in a north-easterly direction to the intersection of River Road and Baddaginnie–Goomalibee Road, then in a northerly direction along Baddaginnie–Goomalibee Road to the intersection of Baddaginnie–Goomalibee Road and the Midland Highway, then in a south-easterly direction along



the Midland Highway to the intersection of the Midland Highway and Quinn Road, then in a northerly direction along Quinn Road to the intersection of Quinn Road and Wallace Road, then in a straight line in a north-easterly direction to the intersection of Taylor Road and Benalla–Tocumwal Road, then in a south-easterly direction along Benalla–Tocumwal Road to the intersection of Benalla–Tocumwal Road and Peck Road, then in a easterly direction along Peck Road to the intersection of Peck Road and Goorambat–Chesney Road, then in a straight line in south-easterly direction to the intersection of Old Thoona Road and Farnley Road, then in an easterly direction along Farnley Road to the intersection of Farnley Road and Sergeant Road, then in a southerly direction along Sergeant Road to the intersection of Sergeant Road and Lake Makoan Road, then in an easterly direction along Lake Makoan Road to the intersection of Lake Makoan Road and Chesney Vale Road, then in a straight line in a south-easterly direction to the intersection of Nelson Road and Lee Road, then in a straight line in a south-westerly direction to the intersection of Hernan Road and Winton–Glenrowan Road, then in a south-westerly direction along Winton–Glenrowan Road to the point of commencement.

### Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 145.96462° East, 36.55807° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate, for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

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