



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT BOORHAMAN 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.

Date: 1 March 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 Boorhaman, 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	<i>Chrysophyllum cainito</i> L. [Sapotaceae]
(Star Apple)	
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	<i>Casimiroa edulis</i> Llave & Lex. [Rutaceae]
(White Sapote)	
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	Citrus ~ <i>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]
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	<i>Annona squamosa</i> L. [Annonaceae]
(Sugar Apple)	
Tahitian Lime	<i>Citrus latifolia</i> Tanaka [Rutaceae]
Tamarillo	<i>Cyphomandra betacea</i> (Cav) Sendtner [Solanaceae]
Tangelo	<i>Citrus</i> ~ tangelo J. Ingram & H. Moore [Rutaceae]
Tomato	<i>Solanum lycopersicum</i> L. [Solanaceae]
Wax jambu	<i>Syzygium jambos</i> L. Alston [Myrtaceae]
(Rose Apple)	

### Schedule 2

The area of land bounded by a line commencing at the intersection of Lindner Road and Walker Road, then in a northerly direction along Walker Road to the intersection of Walker Road and Wangandary Road, then in a westerly direction along Wangandary Road to the intersection of Wangandary Road and Jubilee Road, then in a straight line in a westerly direction to the intersection of Taylor Track and Booth Road, then in a generally northerly direction along Booth Road, which becomes Adams Road, which becomes Adams Track, to the intersection of Adams Track and Swamp Flat Track, then in a westerly direction along Swamp Flat Track to the intersection of Swamp Flat Track and Wangandary Road, then in a south-westerly direction along Wangandary Road to the intersection of Wangandary Road and Ridge Road, then in a northerly direction along Ridge Road to the intersection of Ridge Road and Ferris Road, then in a northerly direction along Ferris Road to the intersection of Ferris Road and Boweya Road, then in a south-westerly direction along Boweya Road to the intersection of Boweya Road and Boundary Road, then in a northerly direction along Boundary Road, which becomes Forest Road, to the intersection of Forest Road and Tungamah–Peechalba Road, then in a northerly direction along Tungamah–Peechalba Road to the intersection of Tungamah–Peechalba Road and Williamsons Road, then in an easterly direction along Williamsons Road to the intersection of Williamsons Road and Camerons Road, then in a northerly direction along Camerons Road to the intersection of Camerons Road and Nishs Road, then in an easterly direction along Nishs Road to the intersection of Nishs Road and Lanes Road, then in a northerly direction along Lanes Road to the intersection of Lanes Road and Angle Road, then in a north-easterly direction along Angle Road to the intersection of Angle Road and Wangaratta–Yarrowonga Road, then in a straight line in a north-easterly direction to the intersection of Woods Road and McInnes Road, then in an easterly direction along McInnes Road to the intersection of McInnes Road and Colvin Road, then in a straight line in a north-easterly direction

to the intersection of West Boundary Road and Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Boorhaman East Road, then in a southerly direction along Boorhaman East Road to the intersection of Boorhaman East Road and Liliput–Norong Road, then in an easterly direction along Liliput–Norong Road to the intersection of Liliput–Norong Road and Escort Bridge Road, then in a south-westerly direction along Escort Bridge Road to the intersection of Escort Bridge Road and Clohesseys Road, then in an easterly direction along Clohesseys Road to the intersection of Clohesseys Road and Federation Way, then in a southerly direction along Federation Way to the intersection of Federation Way and Gullifers Road, then in an easterly direction along Gullifers Road to the intersection of Gullifers Road and Jacks Road, then in a southerly direction along Jacks Road to the intersection of Jacks Road and McPhersons Road, then in an easterly direction along McPhersons Road to the intersection of McPhersons Road and Sheridans Bridge Road, then in a southerly direction along Sheridans Bridge Road to the intersection of Sheridans Bridge Road and Boundary Road, then in an easterly direction along Boundary Road to the intersection of Boundary Road and Pond Road, then in a southerly direction along Pond Road to the intersection of Pond Road and Developmental Road, then in an easterly direction along Developmental Road to the intersection of Developmental Road and O’Brien Road, then in a southerly direction along O’Brien Road to the intersection of O’Brien Road and McMahons Road, then in an easterly direction along McMahons Road to the intersection of McMahons Road and Railway Road, then in a south-westerly direction along Railway Road to the intersection of Railway Road and Luckie Road, then in a southerly direction along Luckie Road to the intersection of Luckie Road and Morrison Road, then in a south-westerly direction along Morrison Road to the intersection of Morrison Road and Bowser Road, then in a south-westerly direction along Bowser Road to the intersection of Bowser Road and Burrows Street, then in a westerly direction along Burrows Street to the intersection of Burrows Street and Tweed Street, then in a straight line in a westerly direction to the intersection of Park Lane and College Street, then in a westerly direction along College Street to the intersection of College Street and Phillipsons Street, then in a southerly direction along Phillipsons Street to the intersection of Phillipsons Street and Williams Road, then in a westerly direction along Williams Road, which becomes Lindner 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 146.28830° East, 36.21470° 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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