



# Victoria Government Gazette

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## **Plant Health and Plant Products Act 1995**

### NOTICE OF EXTENSION

Order declaring a restricted area at Wahgunyah for the control of Queensland fruit fly

I, Joe Helper, Minister for Agriculture, extend the Order made on 8 April 2004 under section 20 of the **Plant Health and Plant Products Act 1995** declaring a restricted area at Wahgunyah for the control of Queensland fruit fly, for a further period of 12 months commencing on 2 April 2007.

The Order was published in Government Gazette S86 on 8 April 2004, and extended by Order published in Government Gazette G13 on 31 March 2005 and Order published in Government Gazette S102 on 3 April 2006, and specifies prohibitions, restrictions and requirements so as to prevent the spread of Queensland fruit fly from Wahgunyah to other parts of Victoria.

A copy of the Order may be obtained by contacting the Plant Standards Branch on (03) 9210 9390.  
Dated 30 March 2007

JOE HELPER MP  
Minister for Agriculture

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**SPECIAL**

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**Plant Health and Plant Products Act 1995****ORDER DECLARING A RESTRICTED AREA AT LINDENOW  
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 29 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 Lindenow, 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.
- (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]

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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]
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 Princes Highway and Straceys Lane, then in a southerly direction along Straceys Lane to the intersection of Straceys Lane and Cousens Road, then in an easterly direction along Cousens Road, which becomes Boundary Road, to the intersection of Boundary Road and Swindells Road, then in a straight line in a north-easterly direction to the intersection of Leathams Road and Bengworden Road, then in a northerly direction along Bengworden Road to the intersection of Bengworden Road and Comleys Road, then in an easterly direction along Comleys Road to the intersection of Comleys Road and Aerodrome Road, then in a northerly direction along Aerodrome Road, which becomes Merry Lane, to the intersection of Merry Lane and the Princes Highway, then in a straight line in a northerly direction to the intersection of Dockertys Road and Wy Yung–Calulu Road, then in an easterly direction along Wy Yung–Calulu Road to the intersection of Wy Yung–Calulu Road and Bullumwaal Road, then in a north-westerly direction along Bullumwaal Road to the intersection of Bullumwaal Road and Clifton West Road, then in a northerly direction along Clifton West Road to the intersection of Clifton West Road and Boyds Road, then in a westerly direction along Boyds Road to the intersection of Boyds Road and Bullumwaal Road, then in a southerly direction along Bullumwaal Road to the intersection of Bullumwaal Road and Laytons Roads, then in a westerly direction along Laytons Road to the intersection of Laytons Road and Tower Road, then in a northerly direction along Tower Road to the intersection of Tower Road and Lookout Road, then in a straight line in a westerly direction to the intersection of Adam Track and Scrubby Creek Road, then in a straight line in a southerly direction to the intersection of Mitchell River Walking Track and Wallers Road, then in a straight line in a westerly direction to the intersection of Dunbar Road and Friday Creek Road, then in a straight line in a south-westerly direction to the intersection of Bairnsdale–Dargo Road and Calajero Road, then in a southerly direction along Bairnsdale–Dargo Road to the intersection of Bairnsdale–Dargo Road and Fernbank–Glanaladale Road, then in a southerly direction along Fernbank–Glanaladale Road to the intersection of Fernbank–Glanaladale Road and Stockdale–Fernbank Road, then in a straight line in a south-easterly direction 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 147.45773° East 37.80248° 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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