



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT BARNAWARTHA 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 10 May 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 Barnawartha, 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 6 June 2006 and published in Government Gazette S149 on 8 June 2006 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

**SPECIAL**

- (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 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]
Boysenberry	<i>Rubus ursinus</i> (Cham. & Schlenht) var. <i>loganobaccus</i> [Rosaceae]
Brazil Cherry	<i>Eugenia uniflora</i> L. [Myrtaceae]
Breadfruit Caimito (Star Apple)	<i>Artocarpus altilis</i> (Parkinson) Fosberg [Moraceae] <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]

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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 x paradisi 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</i> x tangelo 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 Murray River and McFarlands Road, then in a southerly direction along McFarlands Road to the intersection of McFarlands Road and Old Barnawartha Road, then in a straight line in a southerly direction to the intersection of Plunkets Road and Probyns Road, then in a southerly direction along Probyns Road to the intersection of Probyns Road and Coyles Road, then in a straight line in a southerly direction to the intersection of Felltimber Creek Road and McGaffins Road, then in a straight line in a south-westerly direction to the intersection of Gilberts Road and Huon Creek Road, then in a straight line in a south-westerly direction to the intersection of Long Gully Road and Brewers Road, then in a straight line in a south-westerly direction to the intersection of Indigo Creek Road and Mcsweens Road, then in a straight line in a generally south-westerly direction to the intersection of Reece Road and Mcguinness Road, then in a straight line in a generally north-westerly direction to the intersection of Barambogie Road and Water Trust Road, then in a straight line in a generally north-westerly direction to the intersection of Orchard Lane, Gilmours Road and Rodgers Lane, then in a northerly direction along Gilmours Road to the intersection of Gilmours Road and the Hume Freeway, then in a straight line in a north-westerly direction to the intersection of Taylors Lane and Back Springhurst Road, then in a northerly direction along Taylors Lane to the intersection of Taylors Lane and Hotson Road, then in a straight line in a northerly direction to the intersection of Wallace Consul Road and Chiltern Valley Road, then in a north-westerly direction along Chiltern Valley Road to the intersection of Chiltern Valley Road and Stillards Lane, then in a northerly direction along Stillards Lane to the intersection of Stillards Lane and Cornishtown Road, then in an easterly direction along Cornishtown Road to the intersection of Cornishtown Road and Green Lane, then in a northerly direction along Green Lane to the intersection of Green Lane and the Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Falkiners Lane, then in a straight line in a north-easterly direction to the intersection of Cornishtown Road and Green Lane, then in a northerly direction along Green Lane to the intersection of Green Lane and Murray Valley Highway, then in

a straight line in a north-easterly direction to the intersection of Mt Ochertyre Road and Hogans Road, then in an easterly direction along Hogans Road to the intersection of Hogans Road and Popes Road, then in a northerly direction along Popes Road to the intersection of Popes Road and Weidners Road, then in an easterly direction along Weidners Road to the intersection of Weidners Road and Chiltern–Howlong Road, then in a northerly direction along Chiltern–Howlong Road to the intersection of Chiltern–Howlong Road and the Murray River, then in a south-easterly direction along the Murray River 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 146.67222° East, 36.10660° 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 NORONG  
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 10 May 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 Norong, 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**;

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

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**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.

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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]
Prickly Pear	<i>Opuntia stricta</i> (Haw.) Haw. [Cactaceae]
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Quince	<i>Cydonia oblonga</i> P. Mill. [Rosaceae]
Rambutan	<i>Nephelium lappaceum</i> L. [Sapindaceae]



Raspberry	<i>Rubus idaeus</i> L. [Rosaceae]
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Shaddock	<i>Citrus grandis</i> (L.) Osbeck [Rutaceae]
Soursop	<i>Annona muricata</i> L. [Annonaceae]
Strawberry	<i>Fragaria ananassa</i> Duch. [Rosaceae]
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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 Murray River and the Ovens River, then in a generally southerly direction along the Ovens River to the intersection of the Ovens River and the Murray Valley Highway, then in an easterly direction along Murray Valley Highway to the intersection of Murray Valley Highway and Kings Road, then in a straight line in a south-easterly direction to the intersection of Woods Road and McInnes Road, then in a southerly direction along Woods Road to the intersection of Woods Road and Robinson Road, then in an easterly direction along Robinson Road to the intersection of Robinson Road and Colvin Road, then in a southerly direction along Colvin Road to the intersection of Colvin Road and Carmody Road, then in an easterly direction along Carmody Road to the intersection of Carmody Road and McLaughlin Road, then in a generally south-easterly direction along McLaughlin Road to the intersection of McLaughlin Road and Jones Swamp Road, then in a south-easterly direction along Jones Swamp Road to the intersection of Jones Swamp Road and Seymour Road, then in an easterly direction along Seymour Road to the intersection of Seymour Road and Wisers Road, then in a northerly direction along Wisers Road to the intersection of Wisers Road and Keoghs Road, then in an easterly direction along Keoghs Road to the intersection of Keoghs Road and Boorhaman East Road, then in a straight line in an easterly direction to the intersection of Developmental Road and Federation Way, then in a northerly direction along Federation Way to the intersection of Federation Way and McPhersons Road, then in an easterly direction along McPhersons Road to the intersection of McPhersons Road and Sheridans Bridge Road, then in a northerly direction along Sheridans Bridge Road to the intersection of Sheridans Bridge Road and Pevitts Road, then in an easterly direction along Pevitts Road to the intersection of Pevitts Road and Rutherglen–Springhurst Road, then in a northerly direction along Rutherglen–Springhurst Road to the intersection of Rutherglen–Springhurst Road and Kings Road, then in an easterly direction along Kings Road to the intersection of Kings Road and Great Southern Road, then in a northerly direction along Great Southern Road, which becomes Savage Road, to the intersection of Savage Road and Walsh Road, then in a westerly direction along Walsh Road to the intersection of Walsh Road and Shaws Flat Road, then in a northerly direction to the intersection of Shaws Flat Road and the Murray River, then in a generally westerly direction along the Murray River 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 146.33909° East, 36.04010° 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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	<b>email</b>	gazette@craftpress.com.au
	<b>Retail &amp; Mail Sales</b>	<b>Victoria Government Gazette</b> Level 1 520 Bourke Street Melbourne 3000
	<b>Telephone</b>	(03) 9642 5808
	<b>Fax</b>	(03) 9600 0478
	<b>Retail Sales</b>	<b>Information Victoria</b> 356 Collins Street Melbourne 3000
	<b>Telephone</b>	1300 366 356
	<b>Fax</b>	(03) 9603 9920

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