



Victoria Government Gazette

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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT NUMURKAH 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 5 May 2008

JOE HELPER
Minister for Agriculture

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland Fruit Fly at Numurkah, 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) packed, labelled and certified in accordance with any conditions prescribed by the accreditation program, administered by the Department of Primary Industries; or

(b) accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or

(c) accompanied by a plant health certificate issued by an inspector certifying that

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the host material has been treated in a manner approved by the Manager Plant Standards.

- (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

- (1) 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	Eggplant	Orange
Acerola	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape (table grapes only)	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiroa (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Strawberry
Citron	Mangosteen	Sweetsop (Sugar Apple)
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)
Durian	Nectarine	

Schedule 2

The area of land bounded by a line commencing at the intersection of Goulburn Valley Highway and Pinnucks Road, then in an easterly direction along Pinnucks Road to the intersection of Pinnucks Road and Katunga North Road, then in a southerly direction along Katunga North Road to the intersection of Katunga North Road and Spences Road, then in an easterly direction along

Spences Road to the intersection of Spences Road and Labuan Road, then in a southerly direction along Labuan Road to the intersection of Labuan Road and Sandmount Road, then in an easterly direction along Sandmount Road to the intersection of Sandmount Road and Kokoda Road, then in a southerly direction along Kokoda Road to the intersection of Kokoda Road and Ross Road, then in an easterly direction along Ross Road to the intersection of Kokoda Road and Singapore Road, then in a southerly direction along Singapore Road to the intersection of Singapore Road and Mills Road, then in an easterly direction along Mills Road to the intersection of Mills Road and Larissa Road, then in a southerly direction along Larissa Road to the intersection of Larissa Road and Katamatite–Nathalia Road, then in a south-westerly direction along Katamatite–Nathalia Road to the intersection of Katamatite–Nathalia Road and Lawrence Road, then in a southerly direction along Lawrence Road to the intersection of Lawrence Road and Creek Road, then in an easterly direction along Creek Road to the intersection of Creek Road and Miller Avenue, then in a southerly direction along Miller Avenue to the intersection of Miller Avenue and Drumanure Road, then in a westerly direction along Drumanure Road to the intersection of Drumanure Road and Inverness Road, then in southerly direction along Inverness Road to the intersection of Inverness Road and Katamatite–Shepparton Road, then in a south-westerly direction along Katamatite–Shepparton Road to the intersection of Katamatite–Shepparton Road and McKenzie Road, then in a westerly direction along McKenzie Road to the intersection of McKenzie Road and Kerr Road, then in a straight line in a north-westerly direction to the intersection of Hicks Road and Barmah–Shepparton Road, then in a northerly direction along Hicks Road to the intersection of Hicks Road and Walsh’s–Bridge Road, then in a westerly direction along Walsh’s–Bridge Road to the intersection of Walsh’s–Bridge Road and Kempster’s Bridge Road, then in a northerly direction along Kempster’s Bridge Road to the intersection of Kempster’s Bridge Road and Nathalia–Waaia Road, then in an easterly direction along Nathalia–Waaia Road to the intersection of Nathalia–Waaia Road and Jellibarts Road, then in a northerly direction along Jellibarts Road to the intersection of Jellibarts Road and Centre Road, then in an easterly direction along Centre Road to the intersection of Centre Road and Waaia–Bearii Road, then in a northerly direction along Waaia–Bearii Road to the intersection of Waaia–Bearii Road and Katunga–Picola Road, then in an easterly direction along Katunga–Picola Road to the intersection of Katunga–Picola Road and Rendells Road, then in a northerly direction along Rendells Road to the intersection of Rendells Road and Spences Road, then in an easterly direction along Spences Road to the intersection of Spences Road and Shinnicks Road, then in a northerly direction along Shinnicks Road to the intersection of Shinnicks Road and Christies Road, then in an easterly direction along Christies Road to the intersection of Christies Road and Goulburn Valley Highway, then in a northerly direction along Goulburn Valley Highway 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 145.44682° East, 36.09711° 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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