



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT BUNBARTHA 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 12 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 Bunbartha (near Shepparton), 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 the host material has been treated in a manner approved by the Manager Plant Standards.

**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

- (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 Waaia–Bearii Road and Fuzzards Road, then in a westerly direction along Fuzzards Road to the intersection of Fuzzards Road and Goulburn Valley Highway, then in a southerly direction along Goulburn Valley Highway to the intersection of Goulburn Valley Highway and Naring Road, then in an easterly direction along Naring Road to the intersection of Naring Road and Kinnairds Road, then in a southerly direction along Kinnairds Road to the intersection of Kinnairds Road and Katamatite–Nathalia Road, then

in an easterly direction along Katamatite–Nathalia Road to the intersection of Katamatite–Nathalia Road and Sellicks Road, then in a southerly direction along Sellicks Road to the intersection of Sellicks Road and Sampsons Road, then in an easterly direction along Sampsons Road to the intersection of Sampsons Road and Gordon’s Road, then in a southerly direction along Gordon’s Road to the intersection of Gordon’s Road and Wunghnu Road, then in an easterly direction along Wunghnu Road to the intersection of Wunghnu Road and Labuan Road, then in a southerly direction along Labuan Road to the intersection of Labuan Road and Marungi Road, then in a westerly direction along Marungi Road to the intersection of Marungi Road and Katamatite–Shepparton Road, then in a south-westerly direction along Katamatite–Shepparton Road to the intersection of Katamatite–Shepparton Road and McCarten Road, then in an easterly direction along McCarten Road to the intersection of McCarten Road and Preston Road, then in a southerly direction along Preston Road to the intersection of Preston Road and Katandra Main Road, then in a westerly direction along Katandra Main Road to the intersection of Katandra Main Road and Boundary Road, then in a southerly direction along Boundary Road to the intersection of Boundary Road and O’Sheas Road, then in a westerly direction along O’Sheas Road to the intersection of O’Sheas Road and Katamatite–Shepparton Main Road, then in a south-westerly direction along Katamatite–Shepparton Main Road to the intersection of Katamatite–Shepparton Main Road and Lemnos North Road, then in a southerly direction along Lemnos North Road to the intersection of Lemnos North Road and Phillips Road, then in a westerly direction along Phillips Road to the intersection of Phillips Road and Katamatite–Shepparton Main Road, then in a south-westerly direction along Katamatite–Shepparton Main Road to the intersection of Katamatite–Shepparton Main Road and Goulburn Valley Highway, then in a straight line in a generally western direction to the intersection of Alexander Road and Meaklim Road, then in a westerly direction along Meaklim Road to the intersection of Meaklim Road and Trotter Road, then in a northerly direction along Trotter Road to the intersection of Trotter Road and Koenig Road, then in a westerly direction Koenig Road to the intersection of Koenig Road and Ross Road, then in a northerly direction along Ross Road to the intersection of Ross Road and Coomboona Road, then in a westerly direction along Coomboona Road to the intersection of Coomboona Road and Norton Road, then in a northerly direction along Norton Road to the intersection of Norton Road and Hogan Road, then in a westerly direction along Hogan Road to the intersection of Hogan Road and Neal Road, then in a northerly direction along Neal Road to the intersection of Neal Road and Tonkin Road, then in a westerly direction along Tonkin Road to the intersection of Tonkin Road and Madill Road, then in a northerly direction along Madill Road to the intersection of Madill Road and Warren Road, then in a westerly direction along Warren Road to the intersection of Warren Road and Fidge Road, then in a northerly direction along Fidge Road to the intersection of Fidge Road and Munro East Road, then in a straight line in a generally north-easterly direction to the intersection of Mclelland’s Road and Rathbones Road, then in a northerly direction along Mclelland’s Road to the intersection of Mclelland’s Road and Barmah–Shepparton Road, then in a straight line in a north-easterly direction to the intersection of Walsh’s Bridge Road and Flanners Road, then in a straight line in a north-easterly direction to the intersection of Kempster’s–Bridge Road and Katamatite–Nathalia Road, then in an easterly direction along Katamatite–Nathalia Road to the intersection of Katamatite–Nathalia Road and Waaia–Bearii Road, then in a northerly direction along Waaia–Bearii 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 145.36749° East, 36.18438° 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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