



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT KATUNGA 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 28 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 Katunga 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 material 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 material 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 Williams Road and Bearii East Road, then in an easterly direction along Bearii East Road to the intersection of Bearii East Road and Stokes Road, then in a southerly direction along Stokes Road to the intersection of Stokes Road and Murray Valley Highway, then in an easterly direction along Murray Valley Highway to the intersection of Murray Valley Highway and Singapore Road, then in a southerly direction along Singapore Road to the intersection of Singapore Road and Macarthur Road, then in an easterly

direction along Macarthur Road to the intersection of Macarthur Road and Benalla–Tocumwal Road, then in a south-easterly direction along Benalla–Tocumwal Road to the intersection of Benalla–Tocumwal Road and McPherson Road, then in a southerly direction along McPherson Road to the intersection of McPherson Road and Loofs Road, then in a westerly direction along Loofs Road to the intersection of Loofs Road and Tobruk Road, then in a southerly direction along Tobruk Road to the intersection of Tobruk Road and Cross Road, then in a westerly direction along Cross Road to the intersection of Cross Road and Larissa Road, then in a southerly direction along Larissa Road which becomes Lawrence Road to the intersection of Lawrence Road and Gribben Road, then in a westerly direction along Gribben Road to the intersection of Gribben Road and Union Road, then in a southerly direction along Union Road to the intersection of Union Road and Drumanure Road, then in a westerly direction along Drumanure Road to the intersection of Drumanure Road and Labuan Road, then in a southerly direction along Labuan Road to the intersection of Labuan Road and Invergordon Road, then in a westerly direction along Invergordon Road to the intersection of Invergordon Road and Kelly’s Road, then in a straight line in a north-westerly direction to the intersection of Goulburn Valley Highway and Sharp’s Road, then in a westerly direction along Sharp’s Road to the intersection of Sharp’s Road and Central–Mundoona Road, then in a straight line in a north-westerly direction to the intersection of Walsh’s Bridge Road and Sutcliffes Road, then in northerly direction along Sutcliffes Road to the intersection of Sutcliffes Road and Betts Road, then in a westerly direction along Betts Road to the intersection of Betts Road and Walsh’s Bridge South Road, then in a northerly direction along Walsh’s Bridge South Road to the intersection of Walsh’s Bridge South Road and Nathalia–Waaia Road, then in a westerly direction along Nathalia–Waaia Road to the intersection of Nathalia–Waaia Road and Tyacks Road, then in a northerly direction along Tyacks Road to the intersection of Tyacks Road and Katunga–Picola Road, then in an easterly direction along Katunga–Picola Road to the intersection of Katunga–Picola Road and Waaia–Bearii Road, then in a northerly direction along Waaia–Bearii Road to the intersection of Waaia–Bearii Road and Henderson’s Road, then in an easterly direction along Henderson’s Road to the intersection of Henderson’s Road and Boals Road, then in a northerly direction along Boals Road to the intersection of Boals Road and Ryan’s Road, then in an easterly direction along Ryan’s Road to the intersection of Ryan’s Road and Rendell’s Road, then in a northerly direction along Rendell’s Road to the intersection of Rendell’s Road and Murray Valley Road, then in an easterly direction along Murray Valley Road to the intersection of Murray Valley Road and Williams Road, then in a northerly direction along Williams 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 145.472863° East, 36.021374° 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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