



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT BAIRNSDALE 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 1 February 2010

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 Bairnsdale, 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 an 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

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:

- (1) presented to an inspector for inspection; or
- (2) 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	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 the shore line of Lake King and the Nicholson River, then in a generally northerly direction along the Nicholson River to the intersection of the Nicholson River and the Great Alpine Road, then in a south-westerly direction along the Great Alpine Road to the intersection of the Great Alpine Road and Deptford Road, then in a northerly direction along Deptford Road to the intersection of Deptford Road and Orrs Road, then in a straight line in a north-westerly direction to the intersection of Bullumwaal Road and Lookout Road, then in a straight line in a south-westerly direction to the intersection of

Melwood School Road and Boggy Creek Road, then in a straight line in a south-westerly direction to the intersection of Flaggy Creek Road and Rodericks Road, then in a southerly direction along Rodericks Road, which becomes Lindenow–Glenaladale Road, to the intersection of Lindenow–Glenaladale Road and Races Lane, then in an easterly direction along Races Lane to the intersection of Races Lane and Scotts Road, then in a southerly direction along Scotts Road to the intersection of Scotts Road and the Princes Highway, then in a north-easterly direction along the Princes Highway to the intersection of the Princes Highway and Redcourt Lane, then in a straight line in a southerly direction to the intersection of Boundary 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 Romawi Road, then in a southerly direction along Romawi Road to the intersection of Romawi Road and Peecks Road, then in an easterly direction along Peecks Road to the intersection of Peecks Road and Lake Victoria Road, then in a southerly direction along Lake Victoria Road to the shore line of Lake Victoria, then in a generally north-easterly direction along the shore line of Lake Victoria and Lake King 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 147.60363° East, 37.86130° 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 GLENROWAN 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 1 February 2010

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 Glenrowan, 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 an 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.

- (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 material removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

- (1) presented to an inspector for inspection; or
- (2) 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	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 the Hume Freeway and the Great Alpine Road, then in a north-westerly direction along the Great Alpine Road to the intersection of the Great Alpine Road and Parfitt Road, then in a south-westerly direction along Parfitt Road to the intersection of Parfitt Road and Wangaratta–Yarrowonga Road, then in a north-westerly direction along Wangaratta–Yarrowonga Road to the intersection of Wangaratta–Yarrowonga Road and Wangandary Road, then in a generally westerly direction along Wangandary Road to the intersection of Wangandary Road and Gerrett Road, then in a straight line in a south-westerly

direction to the intersection of Jones Road and Glenrowan–Boweya Road, then in a southerly direction along Glenrowan–Boweya Road to the intersection of Glenrowan–Boweya Road and Sayers Road, then in a westerly direction along Sayers Road to the intersection of Sayers Road and Irvine Road, then in a straight line in a southerly direction to the intersection of Bowcher Road and Lake Mokoan Road, then in a straight line in a south-easterly direction to the intersection of Eleven Mile Creek Road and Greta Road, then in an easterly direction along Greta Road, which becomes Kelly Gap Road, to the intersection of Kelly Gap Road and McLeans Road, then in a northerly direction along McLeans Road to the intersection of McLeans and Glenrowan–Moyhu Road, then in a south-easterly direction along Glenrowan–Moyhu Road to the intersection of Glenrowan–Moyhu Road and Banksdale Road, then in a northerly direction along Banksdale Road to the intersection of Banksdale Road and Docker–Greta West Road, then in an easterly direction along Docker–Greta West Road to the intersection of Docker–Greta West Road and Simpson Lane, then in a northerly direction along Simpson Lane to the intersection of Simpson Lane and Diffeys Lane, then in an easterly direction along Diffeys Lane to the intersection of Diffeys Lane and Plemings Lane, then in a northerly direction along Plemings Lane to the intersection of Plemings Lane and Wangaratta–Whitfield Road, then in a northerly direction along the Wangaratta–Whitfield Road to the intersection of Wangaratta–Whitfield Road and the Hume Freeway, then in north-easterly direction along the Hume Freeway 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 146.23708° East, 36.43425° 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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