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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT CALULU 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 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 Calulu, 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 Great Alpine Road and Deptford Road, then in a southerly direction along Great Alpine Road to the intersection of Great Alpine Road and McNamaras Lane, then in an easterly direction along McNamaras Lane to the intersection of McNamaras Lane and Jennings Lane, then in a southerly direction along Jennings Lane, which becomes Morrison Road, to the intersection of Morrison Road and Broadlands Road, then in an easterly direction along Broadlands Road to the intersection of Broadlands Road and Riverbank Road, then in a straight line in a southerly direction to the intersection of Johnstons Road and McDonalds Road, then in an easterly direction along Johnstons Road to the intersection of Johnstons Road and Bairnsdale–Forge Creek Road, then in a south-easterly direction along Bairnsdale–Forge Creek Road to the intersection of Bairnsdale–Forge Creek Road and Netley Road, then in a westerly direction along Netley Road to the intersection of Netley Road and Centre Goon Nure Road, then in a southerly direction along Centre Goon Nure Road to the intersection of Centre Goon Nure Road and Comleys Road, then in a westerly direction along Comleys Road to the intersection of Comleys Road and Bengworden Road, then in a southerly direction along Bengworden Road to the intersection of Bengworden Road and Leathams Road, then in a straight line in a north-westerly direction to the intersection of Lindenow Road and Princes Highway, then in a northerly direction along Lindenow Road to the intersection of Lindenow Road and Man Deans Lane, then in a westerly direction along Man Deans Lane to the intersection of Man Deans Lane and Resides Lane, then in a northerly direction along Resides Lane to the intersection of Resides Lane and Chettles Lane, then in a straight line in a northerly direction to the intersection of Alexanders Road and Lindenow–Glenaladale Road, then in a northerly direction along Alexanders Road to the intersection of Alexanders Road and Dunbar Road, then in a straight line in a north-easterly direction to the intersection of McComas Road and Cox Track, then in a straight line in an easterly direction to the intersection of Bullumwaal Road and Mia Mia Road, then in a south-easterly direction along Bullumwaal Road to the intersection of Bullumwaal Road and Reserve Road, then in an easterly direction along Reserve Road, which becomes Bouchers Road, to the intersection of Bouchers Road and Deptford Road, then in a southerly direction along Deptford 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 147.51932° East, 37.79325° 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.

Plant Health and Plant Products Act 1995**ORDER DECLARING A RESTRICTED AREA AT ELDORADO 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 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 Eldorado, 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
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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
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Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiroa (White Sapote)	Loquat	Sapodilla
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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 Hume Freeway and Rutherglen–Springhurst Road, then in a south-easterly direction along Rutherglen–Springhurst Road to the intersection of Rutherglen–Springhurst Road and Gayfer Road, then in a straight line in an easterly direction to the intersection of Gilmours Road and Rogers Lane, then in an easterly direction along Rogers Lane, which becomes Edgars Road to the intersection of Edgars Road and Water Trust Road, then in a southerly direction along Water Trust Road to the intersection of Water Trust Road and Settlers Road West Road, then in an easterly, then southerly direction along Settlers Road West, which becomes Settlers Road, to the intersection of Settlers Road and Pine Road, then in a north-easterly direction along Pine Road to the intersection of Pine Road and Beechworth–Chiltern Road, then in a generally south-easterly direction along Beechworth–Chiltern Road to the intersection of Beechworth–Chiltern Road and Ponds Track, then in a generally southerly direction along Ponds Track to the intersection of Ponds Track and Malakoff Road, then in a south-easterly direction along Malakoff Road to the intersection of Malakoff Road and Old Tannery Road, then in a south-westerly then southerly direction along Old Tannery Road to the intersection of Old Tannery Road and Beechworth–Wangaratta Road, then in a south-westerly direction along Beechworth–Wangaratta Road, to the intersection of Beechworth–Wangaratta Road and White Post Road, then in a southerly direction along White Post Road to the intersection of White Post Road and Great Alpine Road, then in a westerly direction along Great Alpine Road to the intersection of Great Alpine Road and the Hume Freeway, then in a 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 146.52230° East, 36.30850° 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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