



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT PAYNESVILLE FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, Peter Walsh, Minister for Agriculture and Food Security, 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 2011

PETER WALSH MLA  
Minister for Agriculture and Food Security

#### 1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland Fruit Fly at Paynesville, 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

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

### Schedule 2

The area of land bounded by a line commencing at the intersection of the Nicholson River and the Princes Highway, then in a westerly direction along the Princes Highway to the intersection of the Princes Highway and Nicholson–Sarsfield Road, then in a generally north-westerly direction along Nicholson–Sarsfield Road to the intersection of Nicholson–Sarsfield Road and McNamaras Road, then in a south-westerly direction along McNamaras Road to the intersection of McNamaras Road and the Great Alpine Road, then in a southerly direction along the Great Alpine Road to the intersection of the Great Alpine Road and Doyles Road, then in a westerly direction along Doyles Road to the intersection of Doyles Road and Shields Road, then in a south-westerly direction along Shields Road to the intersection of Shields Road and Eastwood Road, then in a westerly direction along Eastwood Road to the intersection of Eastwood Road and Bullumwaal Road, then in a southerly direction along Bullumwaal Road to the intersection of Bullumwaal Road and Pound Swamp Hill Road, then in a westerly direction along Pound Swamp Hill Road to the intersection of Pound Swamp Hill Road and Williams Parade, then in a westerly direction along Williams Parade to the intersection of Williams Parade and Doherty Street, then in a southerly direction along Doherty Street to the intersection of Doherty Street and Drevermann Street, then in a westerly direction along Drevermann Street to the intersection of Drevermann Street and Bredt Street, then in a southerly direction along Bredt Street, which becomes Calvert Street, to the intersection of Calvert Street and the Princes Highway, then in a south-westerly direction along the Princes Highway to the intersection of the Princes Highway and Racecourse Road, then in a straight line in a southerly direction to the intersection of Humphreys Road and Aerodrome Road, then in a southerly direction along Aerodrome Road to the intersection of Aerodrome Road and Comleys Road, then in an easterly direction along Comleys Road to the intersection of Comleys Road and Centre Goon Nure Road, then in a southerly direction along Centre Goon Nure Road to the intersection of Lower Goon Nure Road, then in an easterly direction along Lower Goon Nure Road to the intersection of Lower Goon Nure Road and Wattle Point Road, then in an easterly direction along Wattle Point Road to the intersection of Wattle Point Road and the shore line of Lake Victoria, then in a generally easterly direction along the shore line of Lake Victoria, then Lake King to the Nicholson River, then in a northerly direction along the Nicholson River to the point of commencement; and –  
the area of land known as Raymond Island.

### Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 147.72841° East, 37.90673° 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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