



Victoria Government Gazette

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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT SHEPPARTON 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 5 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 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 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 Goulburn Valley Highway and Tallygaroopna West–Bunbartha Road, then in a westerly direction along Tallygaroopna West–Bunbartha Road, which becomes Bowey Road, to the intersection of Bowey Road and Barmah–Shepparton Road, then in a straight line in a south-westerly direction to the intersection of Tonkin Road and Dougal Road, then in a southerly direction along Dougal Road to the intersection of Dougal Road and Hogan Road, then in a westerly direction along Hogan Road to the intersection of Hogan Road and Ross Road, then in a southerly direction along Ross Road to the intersection of Ross Road and Koenig Road, then in a westerly direction along Koenig Road to the intersection of Koenig Road and Norton Road, then in a southerly direction along Norton Road, which becomes Starrit Road, to the intersection of Starrit Road and Lancaster–Mooroopna Road, then in a westerly direction along Lancaster–Mooroopna Road to the intersection of Lancaster–Mooroopna Road and Hooper Road, then in a southerly direction along Hooper Road to the intersection of Hooper Road and the Midland Highway, then in an easterly direction along the Midland Highway to the intersection of the Midland Highway and Bayunga Road, then in a southerly direction along Bayunga Road to the intersection of Bayunga Road and Ferguson Road, then in an easterly direction along Ferguson Road to the intersection of Ferguson Road and Craven Road, then in a southerly direction along Craven Road to the intersection of Craven Road and Murton Road, then in an easterly direction along Murton Road to the intersection of Murton Road and Downer Road, then in a southerly direction along Downer Road to the intersection of Downer Road and Pogue Road, then in an easterly direction along Pogue Road to the intersection of Pogue Road and Toolamba Road, then in a straight line in an easterly direction to the intersection of Moira Drive and the Goulburn Valley Highway, then in a straight line to the intersection of Central Kialla Road and McKernan Road, then along McKernan Road in an easterly direction to the intersection of McKernan Road and Shepparton–Euroa Road, then in a northerly direction along Shepparton–Euroa Road to the intersection of Shepparton–Euroa Road and River Road, then in an easterly direction along River Road to the intersection of River Road and Pine Lodge South Road, then in a northerly direction along Pine Lodge South Road to the intersection of Pine Lodge South Road and Hosie Road, then in an easterly direction along Hosie Road to the intersection of Hosie Road and Sidebottoms Road, then in a northerly direction along Sidebottoms Road to the intersection of Sidebottoms Road and O’Keefe Road, then in a westerly direction along O’Keefe Road to the intersection of O’Keefe Road and Pine Lodge North Road, then in a northerly direction along Pine Lodge North Road, which becomes Labuan Road, to the intersection of Labuan Road and Hudsons Lane then in a westerly direction along Hudsons Lane to the intersection of Hudsons Lane and Boundary Road, then in a northerly direction along Boundary Road to the intersection of Boundary Road and O’Sheas Road, then in a westerly direction along O’Sheas Road, which becomes Trewins Road to the intersection of Trewins Road and Edwards Road, then in a northerly direction along Edwards Road to the intersection of Edwards Road and Victoria Road, then in a westerly direction along Victoria Road to the intersection of Victoria Road and the Goulburn Valley Highway, then in a northerly direction along the Goulburn Valley Highway 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 145.39911° East, 36.36187° 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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