



Victoria Government Gazette

No. S 360 Monday 24 December 2007
By Authority, Victorian Government Printer

Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT WANGARATTA 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 the exotic pest, Queensland Fruit Fly, and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 21 December 2007

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 Wangaratta, 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** (the Act).

3. Revocation

The Order made under section 20 of the Act on 17 January 2006 and published in the Government Gazette S18 on 17 January 2006 (p 3–5) declaring a restricted area at Wangaratta for the control of Queensland Fruit Fly, and extended by notice published in the Government Gazette S4 on 10 January 2007 (p 1), is revoked.

4. 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;

‘**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.

5. 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.

6. 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 produce –

(a) is packed, labelled and certified in accordance with any conditions prescribed by the accreditation program, administered by the Department of Primary Industries; or

(b) is 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) is 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.

7. Verification of Consignments

Any Queensland fruit fly host produce removed from the restricted area in accordance with clause 6(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
Casimiro (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Sweetsop (Sugar Apple)
Citron	Mangosteen	Strawberry
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 Luckie Road, then along Luckie Road in a south-easterly direction to the intersection of Luckie Road and Byawatha Road, then in a north-easterly direction along Byawatha Road to the intersection of Byawatha Road and Grealy Road, then in a southerly direction along Grealy Road to the intersection of Grealy Road and Powerhouse Road, then in an easterly direction along Powerhouse Road to the intersection of Powerhouse Road and Eldorado–Byawatha Road, then in a south-easterly direction along Eldorado–Byawatha Road to the intersection of Eldorado–Byawatha Road and Wangaratta–Eldorado Road, then in an easterly direction along Wangaratta–Eldorado Road to the intersection of Wangaratta–Eldorado Road and Mackay Street, then in a south-westerly direction along Mackay Street, which becomes Eldorado–Tarrawingee Road, to the intersection of Eldorado–Tarrawingee Road and Rusholme Road, then in a southerly direction along Rusholme Road to the intersection of Rusholme Road and Great Alpine Road, then in a straight line in a south-westerly direction to the intersection of Markwood–Tarrawingee Road and Ivones Lane, then in a straight line in a south-westerly direction to the intersection of Oxley Flats Road and Kerrs Road, then in a westerly direction along Kerrs Road to the intersection of Kerrs Road and Milawa–Bobinawarra Road, then in a southerly direction along Milawa–Bobinawarra Road to the intersection of Milawa–Bobinawarra Road and Glenrowan–Myrtleford Road, then in a westerly direction along Glenrowan–Myrtleford Road to the intersection of Glenrowan–Myrtleford Road and Church Lane, then in a southerly direction along Church Lane to the intersection of Church Lane and Reillys Lane, then in a westerly direction along Reillys Lane to the intersection of Reillys Lane and Oxley–Meadow Creek Road, then in a straight line in a south-westerly direction to the intersection of Wangaratta–Whitfield Road and Alexanders Lane, then in a westerly direction along Alexanders Lane to the intersection of Alexanders Lane and Oxley–Greta West Road, then in a south-westerly direction along Oxley–Greta West Road to the intersection of Oxley–Greta West Road and Baldwin Lane, then in a westerly direction along Baldwin Lane to the intersection of Baldwin Lane and Wangaratta–Kilfeera Road, then in a straight line in a north-westerly direction to the intersection of Briggs Lane and Glenrowan–Moyhu Road, then in a north-westerly direction along Glenrowan–Moyhu Road to the intersection of Glenrowan–Moyhu Road and Gladstone Street, then in a westerly direction along Gladstone Street to the intersection of Gladstone Street and Egan Road, then in a westerly direction along Egan Road to the intersection of Egan Road and Upper Taminick Road, then in a north-westerly direction along Upper Taminick Road to the intersection of Upper Taminick Road and Rowan Lane, then in a straight line in a northerly direction to the intersection of Gerrett Road and Wangandary Road, then in a straight line in a north-easterly direction to the intersection of Wangaratta–Yarrowonga Road and Warby Tower Road, then in a straight line in a north-easterly direction to the intersection of Boorhaman Road and Boland Road, then in an easterly direction along Boland Road to the intersection of Boland Road and Boralma–Rutherglen Road, then in a straight line in a south-easterly direction 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 146.3250° East, 36.3609° 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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