

**Plant Health and Plant Products Act 1995****DECLARATION OF CONTROL AREAS IN VICTORIA FOR THE PURPOSE OF  
PREVENTING THE SPREAD OF THE PEST POTATO CYST NEMATODE**

## Order in Council

The Governor in Council under section 9 of the **Plant Health and Plant Products Act 1995** (the Act) –

- (a) for the purpose of preventing the spread of the pest, Potato Cyst Nematode, *Globodera rostochiensis* (Woll) to other parts of Victoria, declares the areas described in Schedules 1, 2, 3 and 4 to be control areas;
- (b) revokes the Order declaring control areas in Victoria for the purpose of preventing the spread of the pest Potato Cyst Nematode made on 23 September 2008 and published in Government Gazette G39 on 25 September 2008; and
- (c) specifies, in Schedule 5, the prohibitions which are to operate in the control areas to prevent the spread of the pest Potato Cyst Nematode to other parts of Victoria.

This Order is to come into operation on the day of its publication in the Government Gazette.

Dated 10 February 2009

Responsible Minister

JOE HELPER MP

Minister for Agriculture

RYAN HEATH

Clerk of the Executive Council

---

Schedule 1

The area of land bounded by a line commencing at the intersection of Edies Road and Monomeith Road, then in a south-easterly direction along Edies Road to the intersection of Edies Road and Caldermeade Road, then in a north-easterly direction along Caldermeade Road to the intersection of Caldermeade Road and Koo Wee Rup–Longwarry Road, then in a generally north-easterly direction along Koo Wee Rup–Longwarry Road to the intersection of Koo Wee Rup–Longwarry Road and Nar Nar Goon–Longwarry Road, then in a westerly direction along Nar Nar Goon–Longwarry Road, which becomes Main Street, which becomes Nar Nar Goon–Longwarry Road, which becomes Carney Street, to the intersection of Carney Street and Main Street, then in a southerly direction along Main Street, which becomes Seven Mile Road, to the intersection of Seven Mile Road and Bald Hill Road, then in a westerly direction along Bald Hill Road to the intersection of Bald Hill Road and Koo Wee Rup Road, then in a generally southerly direction along Koo Wee Rup Road, which becomes Station Street, to the intersection of Station Street and Rossiter Road, then in a north-easterly direction along Rossiter Road, which becomes Koo Wee Rup–Longwarry Road, to the intersection of Koo Wee Rup–Longwarry Road and Number Five Drain Road, then in a south-easterly direction along Number Five Drain Road to the intersection of Number Five Drain Road and Monomeith Road, then in a south-westerly direction along Monomeith Road to the point of commencement.

Schedule 2

The area of land bounded by a line commencing at the intersection of Woori Yallock Road and Calder Road, then in a generally easterly direction along Calder Road to the intersection of Calder Road and Ure Road, then in a northerly direction along Ure Road to the intersection of Ure Road and Shepherds Creek Road, then in a straight line in an easterly direction to the intersection of Monkhouse Track and Manna Gum Track, then in a straight line in a southerly direction to the intersection of Clarkes Creek Track and Beenak Road, then in a straight line in a south-easterly direction to the intersection of Gilwell Track and Gembrook–Launching Place Road, then in a southerly direction along Gembrook–Launching Place Road to the intersection of Gembrook–Launching Place Road and Swallowfield Road, then in a straight line in a south-easterly direction to the intersection of Beenak East Road and Wylaars Road, then in a straight line in a south-easterly direction to the intersection of Williams Road and Rocky Ridge Track, then in a straight line in a south-westerly

direction to the intersection of William Wallace Track and Parker Track, then in a straight line in a westerly direction to the intersection of The Avenue and Gembrook–Tonimbuk Road, then in a straight line in a southerly direction to the intersection of Stone Road and Boyd Road, then in a westerly direction along Boyd Road to the intersection of Boyd Road and Gembrook Road, then in a south-westerly direction along Gembrook Road to the intersection of Gembrook Road and Bessie Creek Road, then in a southerly direction along Bessie Creek Road to the intersection of Bessie Creek Road and Halifax Road, then in a straight line in a westerly direction to the intersection of Black Road and Gembrook Road, then in a south-westerly direction along Gembrook Road to the intersection of Gembrook Road and Pakenham Road, then in a straight line in a southerly direction to the intersection of Upper Gembrook Road and Bourkes Creek Road, then in a north-westerly direction along Bourkes Creek Road to the intersection of Bourkes Creek Road and Matters Road, then in a northerly direction along Matters Road to the intersection of Matters Road and Paternoster Road, then in a north-westerly direction along Paternoster Road to the intersection of Paternoster Road and View Hill Road, then in a straight line in a north-easterly direction to the intersection of Belgrave–Gembrook Road and Fielder Road, then in a straight line in a northerly direction to the intersection of Waratah Way and Mountain Road, then in an easterly direction along Mountain Road to the intersection of Mountain Road and Rainy Hill Road, then in a north-westerly direction along Rainy Hill Road to the intersection of Rainy Hill Road and Kirk Road, then in a straight line in a north-easterly direction to the intersection of Bedford Road and Evans Road, then in a northerly direction along Evans Road to the intersection of Evans Road and Woori Yallock Road, then in a northerly direction along Woori Yallock Road to the point of commencement.

#### Schedule 3

The area of land bounded by a line commencing at the intersection of Main Road and Monbulk Road, then in a northerly direction along Monbulk Road to the intersection of Monbulk Road and Clegg Road, then in an easterly direction along Clegg Road to the intersection of Clegg Road and the Warburton Highway, then in an easterly direction along the Warburton Highway to the intersection of the Warburton Highway and Douthie Road, then in a generally southerly direction along Douthie Road to the intersection of Douthie Road and Beenak Road, then in a south-easterly direction along Beenak Road to the intersection of Beenak Road and Macclesfield Road, then in a southerly direction along Macclesfield Road to the intersection of Macclesfield Road and Mulhalls Road, then in a westerly direction along Mulhalls Road to the intersection of Mulhalls Road and Patons Road, then in a southerly direction along Patons Road to the intersection of Patons Road and Uren Road, then in a south-westerly direction along Uren Road to the intersection of Uren Road and Butterfield Road, then in a southerly direction along Butterfield Road to the intersection of Butterfield Road and Holman Road, then in a westerly direction along Holman Road to the intersection of Holman Road and Emerald–Monbulk Road, then in a north-westerly direction along Emerald–Monbulk Road to the intersection of Emerald–Monbulk Road and Main Road, then in a north-westerly direction along Main Road to the point of commencement.

#### Schedule 4

The area of land bounded by a line commencing at the intersection of Princes Freeway and Hazeldean Road, then in an easterly direction along Princes Freeway to the intersection of Princes Highway and Strzelecki Highway, then in a south-westerly direction along Strzelecki Highway to the intersection of Strzelecki Highway and Yinnar–Driffield Road, then in a southerly direction along Yinnar–Driffield Road to the intersection of Yinnar–Driffield Road and Yinnar Road, then in a southerly direction along Yinnar Road to the intersection of Yinnar Road and Monash Way, then in a south-westerly direction along Monash Way to the intersection of Monash Way and Morwell River Road, then in a south-westerly direction along Morwell River Road to the intersection of Morwell River Road and Bastin Street, then in a westerly direction along Bastin Street to the intersection of Bastin Street and Foster Road, then in a southerly direction along Foster Road to the intersection of Foster Road and Grand Ridge Road, then in a south-easterly direction along Grand Ridge Road to the intersection of Grand Ridge Road and Clear Creek Road, then in a generally westerly

direction along Clear Creek Road to the intersection of Clear Creek Road and Mirboo Road, then in a southerly direction along Mirboo Road to the intersection of Mirboo Road and Farmers Road, then in a westerly direction along Farmers Road to the intersection of Farmers Road and Meeniyan Mirboo North Road, then in a northerly direction along Meeniyan Mirboo North Road to the intersection of Meeniyan Mirboo North Road and Mardan Road, then in a westerly direction along Mardan Road to the intersection of Mardan Road and Strzelecki Highway, then in a north-easterly direction along Strzelecki Highway to the intersection of Strzelecki Highway and Leongatha Yarragon Road, then in a northerly direction along Leongatha Yarragon Road to the intersection of Leongatha Yarragon Road and Canavans Road, then in a northerly direction along Canavans Road to the intersection of Canavans Road and Grand Ridge Road, then in a westerly and northerly direction along Grand Ridge Road to the intersection of Grand Ridge Road and McDonalds Track, then in a north-easterly direction along McDonalds Track to the intersection of McDonald Track and Darnum–Allambee Road, then in a northerly direction along Darnum–Allambee Road to the intersection of Darnum–Allambee Road and Clancy’s Cutting Road, then in a northerly direction along Clancy’s Cutting Road to the intersection of Clancy’s Cutting Road and Hazeldean Road, then in a north-easterly direction along Hazeldean Road to the point of commencement.

#### Schedule 5

### 1 Definitions

In this Schedule –

‘**Agricultural Equipment**’ means any equipment used for the culture, harvesting, packing or processing of any PCN host plants, including bulk handlers and any vehicle;

‘**Inspector**’ means an inspector authorised under the Act;

‘**Potato Cyst nematode**’ or ‘**PCN**’ means the pest *Globodera rostochiensis* (Wollenweber) Skarbilovich;

‘**PCN host plants**’ means any plant or plant product of the Solanaceae family and any root vegetable, bulb, seedling, nursery plant or tree;

‘**Solanaceae**’ means the family of plants which includes potatoes, tomatoes, eggplants, and weeds including nightshade;

‘**the Act**’ means the **Plant Health and Plant Products Act 1995**.

### 2 Prohibitions relating to the control areas

(1) The removal from the control areas of –

- (a) PCN host plants; or
- (b) agricultural equipment; or
- (c) packages, including bins or bulk bags, which contain, or have contained, any PCN host plants; or
- (d) soil –  
is prohibited.

(2) Sub-clause (1) does not apply in the case of –

- (a) nursery plants, including seedlings, grown in soil-less media; or
- (b) bare-rooted plants; or
- (c) root vegetables (except potatoes) or bulbs which have been washed or brushed so as to be free of visible soil.

Note: Section 9(3) provides a penalty of 100 penalty units for a person who contravenes any prohibition or restriction in a control order if the person knows or has reason to believe that any place has been declared to be a control area, unless the person is authorised to do so under a permit issued by the Secretary.