

**Plant Health and Plant Products Act 1995****ORDER DECLARING A RESTRICTED AREA IN EASTERN GIPPSLAND FOR  
THE CONTROL OF QUEENSLAND FRUIT FLY**

I, Joe Helper, Minister for Agriculture, under sections 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 10 November 2009

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, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

**2. Authorising provisions**

This Order is made under sections 20 of the **Plant Health and Plant Products Act 1995**.

**3. Definition**

In this Order –

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

‘**host produce**’ means any fruit or vegetable, or plant in fruit, as listed in Schedule 1;

‘**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).

**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:

- (a) host produce; or
  - (b) package which has been used to contain any host produce.
- is prohibited.

(2) Sub-clause (1) does not apply if the produce or package –

- (a) is accompanied by a plant health certificate issued by an authorised officer, certifying that the produce or package has been treated in a manner approved by the Manager Plant Standards; or
- (b) is accompanied by a plant health declaration issued by an authorised person declaring that it has been treated in a manner approved by the Manager Plant Standards; or
- (c) is packed, labelled and certified in accordance with any conditions prescribed by an accreditation program under which the produce is certified.

**6. Verification of consignments**

(1) Where required by clause 5(2) to be accompanied by an assurance certificate, plant health declaration or plant health certificate, the Queensland fruit fly host produce and the accompanying certificate or declaration must be:

- (a) presented to an authorised inspector for inspection, examination or treatment; or
- (b) verified by a person accredited to do so by the Department of Primary Industries.

**Schedule 1**

Abiu	Durian	Nectarine
Acerola	Eggplant	Orange
Achachairu	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)

**Schedule 2**

The area of land, in the state of Victoria, east of the line commencing at a point where Lake King enters Bass Strait, then in a westerly direction along the southern shoreline of Lake King, to the intersection of Lake King and the western boundary of the Parish of Colquhoun, then in a northerly direction along the western border of the Parish of Colquhoun to the intersection of the Parishes of Colquhoun, Boole Poole and Bumberrah, then in a westerly and northerly direction along the southern and western borders of the Parish of Bumberrah to the intersection of the Parishes of Bumberrah, Sarsfield and Tambo and the Nicholson River, then in a northerly direction along the Nicholson River to the point where the Nicholson River intersects with Quarry Creek Road, then in a northerly direction along Quarry Creek Road to the intersection of Quarry Creek Road and Chester Road, then in a northerly direction along Chester Road to the intersection of Chester Road and Engineers Road, then in a straight line in a northerly direction to the intersection of Bullumwaal–Mt Baldhead Track and Nelson Track, then in a straight line in a north-westerly direction to the intersection of New Rush Track and Groves Gap Road, then in a north-westerly direction along Groves Gap Road to the intersection of Groves Gap Road and the Parishes of Wentworth, Omeo and Carneek, then in a north-westerly direction along the western boundary of the Parish of Omeo to the intersection of the Parishes of Omeo, Carneek and Bingo Munjie South, then in westerly and northerly direction along the southern and western boundaries of the Parish of Bingo Munjie South to the intersection of the

Parishes of Bingo Munjie South, Mullawye and Theddora, then in a north-westerly direction along the western boundary of the Parish of Theddora to the intersection of the Parishes of Theddora, Hotham and Lochiel, then in a northerly direction along the western boundary of the Parish of Lochiel to the intersection of the Parishes of Lochiel, Darbalang and Nowyeo, and the Shire of East Gippsland, then in a northerly and westerly direction along the western boundary of the East Gippsland Shire to the intersection of the East Gippsland, Alpine and Towong Shires, then in a north-westerly direction along the western boundary of Towong Shire to the intersection of Towong and Indigo Shires and the Wodonga City Council, then in a westerly direction along the southern boundary of the Wodonga City Council, to the intersection of the boundaries of the Wodonga City Council and the Parishes of Yackandandah and Beethang, then in a northerly direction along the western boundary of the Parish of Beethang to the intersection of the boundaries of the Parishes of Beethang, Yackandandah and Baranduda, then in a straight line in a westerly direction to the intersection of Whytes Road and Boundary Road, then in a westerly direction along Boundary Road to the intersection of Boundary Road and Wodonga–Yackandandah Road, then in a straight line in a south-westerly direction to the intersection of Ridge Lane and Baranduda Range Track, then in a south-westerly direction along Baranduda Range Track to the intersection of Baranduda Range Track and the boundary of the Wodonga City Council and Indigo Shire, then in a south-westerly and northerly direction along the south-eastern and western boundaries of the Wodonga City Council to the intersection of the boundary of the Wodonga City Council and Indigo Shire and the Parishes of Wooragee North, Barnawartha South and Belvoir West, then in a northerly direction along the western boundary of the Parish of Belvoir West to the Murray River.

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