



Victoria Government Gazette

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Plant Biosecurity Act 2010

ORDER DECLARING RESTRICTED AREAS FOR THE CONTROL OF GIANT PINE SCALE

I, Jaala Pulford, Minister for Agriculture, under section 32 of the **Plant Biosecurity Act 2010** make the following Order declaring restricted areas for the control of giant pine scale and specifying the prohibitions, restrictions and requirements which are to operate in the restricted areas.

Dated 3 February 2015

HON. JAALA PULFORD MP
Minister for Agriculture

1 Objective

The objective of this Order is to declare restricted areas for the control of giant pine scale in Victoria, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted areas.

2 Authorising Provision

This Order is made under section 32 of the **Plant Biosecurity Act 2010** (the Act).

3 Definitions

In this Order –

‘**giant pine scale**’ means the exotic pest *Marchalina hellenica* (Gennadius);

‘**giant pine scale host material**’ means any giant pine host plant and any earth material or used equipment associated with any giant pine scale host plant;

‘**giant pine scale host plant**’ means any plant listed in Schedule 1 and excluding plants in tissue culture;

‘**inspector**’ means a person authorised as an inspector under the Act.

4 Restricted area for the Control of Giant Pine Scale

The Restricted Areas for the control of giant pine scale are declared to be the areas described in Schedule 2.

5 Prohibitions, Restrictions and Requirements

- (1) The removal of any giant pine scale host material from the restricted areas is prohibited.
- (2) Subclause (1) does not apply if the person removing any giant pine scale host material is authorised to do so under a permit issued by an inspector under the Act and complies with any conditions set out in the permit.
- (3) All giant pine scale host material must be destroyed, pruned or treated in a manner approved by the Chief Plant Health Officer of the Department of Economic Development, where necessary to control or prevent the spread of the exotic pest.
- (4) The planting or propagation of any giant pine scale host plant is prohibited.

6 Issuing of Directions

Inspectors are authorised to issue a direction to any owner or occupier of land in the restricted areas –

- (1) requiring the owner or occupier to –
 - (a) take measures to destroy or prune any giant pine scale host plant where this is considered necessary to control or prevent the spread of the exotic pest; or
 - (b) apply, to any giant pine scale host plant, any treatment for the purpose of controlling giant pine scale, including the application of chemicals registered, approved or permitted for the purpose of controlling giant pine scale, or
 - (c) clean used equipment utilised in the destruction, pruning or mulching of giant pine scale host plants.

SPECIAL

Schedule 1

Pines	Firs	Spruces
<i>Pinus radiata</i>	<i>Abies cephalonica</i>	<i>Picea engelmanni</i>
<i>Pinus halepensis</i>	<i>Abies nordmanniana</i>	<i>Picea orientalis</i>
<i>Pinus brutia</i>		
<i>Pinus pinea</i>		
<i>Pinus laricio tauricus</i>		
<i>Pinus sosnowskyi</i>		
<i>Pinus sylvestris</i>		
<i>Pinus kochiana</i>		
<i>Pinus nigra salzmannii</i>		

Schedule 2

The area of land bounded by a line commencing at the intersection of Burke Road and Toorak Road, then in an easterly direction along Toorak Road, which becomes Burwood Highway, to the intersection of Burwood Highway and Springvale Road, then in a southerly direction along Springvale Road to the intersection of Springvale Road and Centre Road, then in a westerly direction along Centre Road to the intersection of Centre Road and Westall Road, then in a southerly direction along Westall Road to the intersection of Westall Road and Fairbank Road, then in a westerly direction along Fairbank Road to the intersection of Fairbank road and Clayton Road, then in a southerly direction along Clayton Road to the intersection of Clayton Road and Kingston Road, then in a westerly direction along Kingston Road to the intersection of Kingston Road and Warragul Road, then in a northerly direction along Warragul Road to the intersection of Warragul Road and Keys Road, then in a westerly direction along Keys Road to the intersection of Keys Road and Chesterville Road, then in a northerly direction along Chesterville Road to the intersection of Chesterville Road and Wickham Road, then in a westerly direction along Wickham Road to the intersection of Wickham Road and Chapel Road, then in a northerly direction along Chapel Road to the intersection of Chapel Road and South Road, then in a westerly direction along South Road to the intersection of South Road and Tucker Road, then in a northerly direction along Tucker Road to the intersection of Tucker Road and North Road, then in an easterly direction along North Road to the intersection of North Road and Koornang Road, then in a northerly direction along Koornang Road, which becomes Darling Road, to the intersection of Darling Road and Malvern Road, then in a northerly direction along Malvern Road to the intersection of Malvern Road and Burke Road, then in a northerly direction along Burke Road to the point of commencement; and

The area of land bounded by a line commencing at the intersection of Stud Road and Wellington Road, then in an easterly direction along Wellington Road to the intersection of Wellington Road and Napoleon Road, then in a north-easterly direction along Napoleon Road to the intersection of Napoleon Road and Glenfern Road, then in a north-westerly direction along Glenfern Road to the intersection of Glenfern Road and Burwood Highway, then in an easterly direction along Burwood Highway to the intersection of Burwood Highway and Belgrave–Gembrook Road, then in an easterly direction along Belgrave–Gembrook Road to the intersection of Belgrave–Gembrook Road and Beaconsfield–Emerald Road, then in a south-easterly direction along Beaconsfield–Emerald Road to the intersection of Beaconsfield–Emerald Road and Paternoster Road, then in a south-easterly direction along Paternoster Road, which becomes Mount Burnett Road, to the intersection of Mount Burnett Road Gembrook Road, then in a south-westerly direction along Gembrook Road to the intersection of Gembrook Road and Pakenham Road, then in a southerly direction along Pakenham Road to the intersection of Pakenham Road and the Princes Highway, and then in a westerly direction along the Princes Highway, which becomes the Princes Freeway, to the intersection of the Princes Freeway and Clyde Road, then in a southerly direction along Clyde Road

to the intersection of Clyde Road and Greaves Road, then in westerly direction along Greaves Road to the intersection of Greaves Road and Narre Warren–Cranbourne Road then in a northerly direction along Narre Warren–Cranbourne Road to the intersection of Narre Warren–Cranbourne Road and Pound Road, then in a north-westerly direction along Pound Road to the intersection of Pound Road and Seebeck Drive, then in a south-westerly direction along Seebeck Drive to the intersection of Seebeck Drive and Ormond Road, then in a north-westerly direction along Ormond Road to the intersection of Ormond Road and Hallam Road, then in a straight line in a south-westerly direction to the intersection of Lynbrook Boulevard and South Gippsland Highway, then in a north-westerly direction along the South Gippsland Highway to the intersection of the South Gippsland Highway and the South Gippsland Freeway, then in a northerly direction along the South Gippsland Freeway, which becomes the Monash Freeway, to the intersection of the Monash Freeway and Stud Road, then in a northerly direction along Stud Road to the point of commencement.

Note:

Section 17(2) of the **Plant Biosecurity Act 2010** provides that a person must notify an inspector without delay after becoming aware or suspecting that an exotic pest is present by the fastest means of communication available.

Section 33 of the **Plant Biosecurity Act 2010** provides that a person is guilty of an offence and liable for a penalty not exceeding 60 penalty units in the case of a natural person, and 300 penalty points in the case of a body corporate for causing or permitting the movement of any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

Section 35(4) of the **Plant Biosecurity Act 2010** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty points for contravening any direction of an Inspector.

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