



# Victoria Government Gazette

No. S 423 Wednesday 24 August 2022  
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## Plant Biosecurity Act 2010

### ORDER DECLARING A RESTRICTED AREA IN VICTORIA NEAR LINDSAY POINT FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, Gayle Tierney, Minister for Agriculture, being of the reasonable belief that the exotic pest Queensland fruit fly (*Bactrocera tryoni* (Froggatt)) is present in Victoria, make the following Order under section 32(1) of the **Plant Biosecurity Act 2010** –

#### 1. Objectives

The objectives of this Order are –

- (a) to declare a restricted area for the control of Queensland fruit fly in Victoria; and
- (b) to specify the prohibitions, restrictions and requirements which are to operate in relation to the restricted area.

#### 2. Authorising provision

This Order is made under section 32(1) of the **Plant Biosecurity Act 2010**.

#### 3. Commencement

This Order comes into operation on the date of publication in the Government Gazette.

#### 4. Definitions

In this Order –

**Queensland fruit fly host material** means fruits of the plants specified in Clause 6.

#### 5. Declaration of a restricted area for the control of Queensland fruit fly

The area described in Schedule 1 is declared to be a restricted area for the control of Queensland fruit fly.

#### 6. Affected plants

This Order affects the following plants, and the fruits of such plants –

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

**SPECIAL**

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)

#### 7. Prohibitions, restrictions and requirements

- (1) The removal of any Queensland fruit fly host material from the restricted area described in Clause 5 is prohibited.
- (2) Subclause (1) does not apply to a person who removes any Queensland fruit fly host material from the restricted area under and in accordance with a permit issued by an inspector under section 34 of the **Plant Biosecurity Act 2010** and complies with any conditions set out in the permit.
- (3) The owners and occupiers of land described in Schedule 2 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 Queensland fruit fly.

#### 8. Issuing of Directions

Inspectors are authorised to issue a direction to any owner or occupier of land described in Schedule 2 requiring the owner or occupier to take the following measures:

- (a) strip Queensland fruit fly host material from plants, and collect and dispose of that waste material; or
- (b) treat or destroy that material.

#### 9. Expiry

This Order remains in force for a period of 12 months after the day that it is published in the Government Gazette.

#### Schedule 1

The area of land in Victoria within a radius of fifteen kilometres of the outbreak epicentre at 140.97° East, 34.09° South.

#### Schedule 2

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 140.97° East, 34.09° South.

Dated 23 August 2022

Responsible Minister:  
GAYLE TIERNEY MP  
Minister for Agriculture

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