



VICTORIA GOVERNMENT GAZETTE

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[1959

Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258).

DECLARING A PROCLAIMED AREA.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS by section 3 of the *Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258)*, it is provided that, where the Governor in Council is of opinion that it is necessary to protect the fruit industry against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies), he may by Proclamation declare any portion of Victoria specified therein to be a proclaimed area, and prohibit the planting on any land in the proclaimed area of any plant or vegetable specified, and prohibit the removal from any property within the prescribed area to any other property within the area and from any place in the prescribed area to any place outside the area of any fruit or vegetable, and require occupiers and owners of land in the proclaimed area to take such action for the eradication or prevention of the spread of fruit fly as is specified in the Proclamation: Now therefore, I, the Governor of the State of Victoria, in the Commonwealth of Australia, being of opinion that it is necessary to protect the fruit industry of Victoria against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies) and by and with the advice of the Executive Council of the said State, do by this my Proclamation hereby—

1. Declare that portion of Victoria—

In the City of Kew, commencing at the intersection of High-street and Princess-street and proceeding northerly along Princess-street to River-avenue, thence easterly along River-avenue and Kilby-road to Oswin-street, thence southerly along Oswin-street and Normanby-road to Cotham-road, thence westerly along Cotham-road to High-street, thence south-westerly along High-street to the commencing point—
to be a proclaimed area.

2. Prohibit the removal from any place within the proclaimed area to any other place within the area or to any place outside the area of any fruit or vegetable or any case or package which has contained any fruit or vegetable unless such removal is made on the instruction of an inspector.

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3. Require occupiers and owners of land, not being a commercial orchard, in the proclaimed area to:—

(a) Apply to all trees and plants of the following kinds:—

Apples, apricots, brambles and other berry fruits, cape gooseberries, cherries, citrus fruits, cucumbers, egg fruit, figs, gooseberries, grapes, guavas, loquats, medlars, nectarines, passion fruit, peaches, pears, peppers, persimmons, plums, prunes, quinces, rock melons, sweet melons, tomatoes and all other trees and plants which have edible fruits,

one of the following treatments:—

- (i) Thoroughly spray with an efficient garden spray pump the whole of the foliage with a solution containing two thousand (2,000) parts of Dichloro - diphenyl - trichloroethane (D.D.T.) to one million (1,000,000) parts of water (0.2 per cent.) at intervals of not more than twenty-one (21) days commencing at the time fruit on such trees and plants has set and continuing until one (1) month after it has been harvested, or
- (ii) Apply by spraying, or by *splashing* the required quantity of solution on the foliage of trees and plants by any suitable method such as with a large paint brush dipped in an open container or from a bottle with a perforated stopper at intervals not longer than seven (7) days commencing at the time the fruit has set and continuing until one (1) month after it has been harvested to the foliage on at least three (3) different parts of each tree and to the foliage of all plants a solution consisting of two (2) ounces of tartar emetic and two and one-half (2½) pounds of white sugar in four (4) gallons of water, or a solution consisting of two (2) ounces of sodium fluosilicate and two and one-half (2½) pounds of white sugar in four (4) gallons of water at the rate of ten (10) fluid ounces per tree and ten (10) fluid ounces per two hundred (200) square feet of planted area of such plants.

- (b) Pick up from the said land before noon each day all fallen fruits of the kinds specified in paragraph 3 (a) above, and dispose of all such fruits as prescribed in paragraph 4 (c) below.

4. Require occupiers and owners of land in the proclaimed area to take action as and when directed by a notice served on such occupier or owner by an inspector and within the time specified in such notice—

- (a) To remove all plants of—

Tomato (*Lycopersicum* sp.),
Pepper (*Capsicum* sp.),
Egg Plant (*Solanum melongena*),
Ornamental Solanum (*Solanum* sp.),
Rock Melon (*Cucumis* sp.),
Sweet Melon (*Cucumis* sp.),
Cucumber (*Cucumis* sp.),
Cape Gooseberry (*Physalis edulis*),
Brambles (except cultivated varieties),
Box Thorn, provided that where box thorn is grown as a hedge along a boundary or dividing fence the occupier or owner may continue to so grow it on the following conditions:—

- (i) Cut back the hedge forthwith and periodically as necessary to retain it within a height not exceeding six (6) feet from the ground level and a width not exceeding two (2) feet.

- (ii) That when such hedge has been cut back to within the foregoing dimensions, he shall thoroughly spray it forthwith to cover all parts of the plants forming the hedge with a solution containing Two thousand (2,000) parts of two-four Dichlorophenoxy-acetic acid (2-4D), or one of its derivatives to One million (1,000,000) parts of water (0.2 per cent.) and he shall spray it thereafter as often as is necessary to prevent the plants from forming fruit,

and refrain from planting such plants while this Proclamation remains in force.

- (b) To remove from all trees and plants growing upon the said land and to pick up from the said land all of the following fruits and/or vegetables:—

Apples, apricots, brambles and other berry fruits, cape gooseberries, cherries, citrus fruits, cucumbers, egg fruit, figs, gooseberries, grapes, guavas, loquats, medlars, nectarines, passion fruit, peaches, pears, peppers, persimmons, plums, prunes, quinces, rock melons, sweet melons, tomatoes and all edible fruits of all trees and plants, including all such fruits and vegetables which shall form on such trees and plants after the service of the said notice during such time as this Proclamation remains in force.

- (c) To dispose of all such fruits and/or vegetables by boiling for fifteen (15) minutes, or burning them so as to destroy all eggs and larvæ of the fruit fly or burying them under a depth of soil of at least three (3) feet after having applied to the upper layer of such buried fruit or vegetables D.D.T. at the rate of not less than one-half ounce per square yard in the form of a spray containing not less than 0.2 per cent. of the pure para isomer of D.D.T. or in the form of a dust containing not less than 2 per cent. of the pure para para isomer of D.D.T. or by otherwise treating them as an inspector may direct, in such a manner as to kill all eggs, larvæ and pupæ of fruit flies.

- (d) To spray all trees and plants growing on the said land with a solution containing Two thousand (2,000) parts of Dichloro-diphenyl-trichloroethane (D.D.T.) to One million parts of water (0.2 per cent.) or in the case of a commercial orchard equipped with a power spraying plant approved by an inspector, with a solution containing One thousand (1,000) parts of D.D.T. to One million parts of water (0.1 per cent.), at intervals not exceeding twenty-one (21) days during the period specified in such notice, and/or with such other solution as is specified in the said notice and at times specified therein.

- (e) To treat the soil beneath and around trees suspected by an inspector to be infested or to have been infested with fruit fly by applying

uniformly to the surface of an area or areas marked by an inspector a dust containing 1 per cent. of the pure gamma isomer of Benzene hexachloride at the rate of not less than two (2) ounces per square yard, and/or by giving such other treatment as is specified in the said notice.

- (f) To reduce, if necessary, all tall growing trees and plants covered by this Proclamation, except when grown as a commercial orchard or plantation, to a height which will permit them to be stripped of fruit and/or sprayed to the satisfaction of an inspector.

5. Require occupiers and owners of land in the proclaimed area to give access to such land at all times to an inspector with or without assistants for the purpose of inspection and/or applying on such properties any spray material and/or for the purpose of removing any fruit or vegetables or prohibited plant, and/or performing such other acts which in the opinion of an inspector are necessary for the eradication or prevention of the spread of fruit flies.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this eleventh day of March, in the year of our Lord One thousand nine hundred and fifty-nine, and in the eighth year of the reign of Her Majesty Queen Elizabeth II.

(L.S.)

DALLAS BROOKS.

By His Excellency's Command,

G. L. CHANDLER,
Minister of Agriculture.

GOD SAVE THE QUEEN!

SHEPPARTON URBAN WATERWORKS TRUST.

AUTHORITY TO OBTAIN BANK OVERDRAFT.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth by Order made on the 11th day of March, 1959, authorize the Shepparton Urban Waterworks Trust to obtain in pursuance of the provisions of section 271 of the *Water Act 1928* (No. 3801), an advance or advances during the year 1959 from the Australia and New Zealand Bank Limited, Shepparton, by overdraft of the Trust's current account thereat, such overdraft not to exceed at any one time the sum of Seven thousand five hundred pounds (£7,500).

A. MAHLSTEDT,
Clerk of the Executive Council.

At the Executive Council Chamber,
Melbourne, 11th March, 1959.

LOCAL GOVERNMENT ACTS.

At the Executive Council Chamber, Melbourne, the
eleventh day of March, 1959.

PRESENT:

His Excellency the Governor of Victoria.

Mr. Chandler

Sir Thomas Maltby.

Mr. Porter

THE SHIRE OF DANDENONG DECLARED A CITY.
PURSUANT to the powers conferred by the *Local Government (Dandenong) Act 1958* and the *Local Government Act 1946*, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and with effect on and from the 14th March, 1959, hereby declare the Shire of Dandenong a City.

And the Honorable Murray Victor Porter, Her Majesty's Minister for Local Government for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

OVENS RIVER IMPROVEMENT TRUST.

*At the Executive Council Chamber, Melbourne, the
eleventh day of March, 1959.*

PRESENT:

His Excellency the Governor of Victoria.
Mr. Chandler | Sir Thomas Maltby.
Mr. Porter |

LOAN OF £5,000.

IN pursuance of the powers conferred by section 43 of the *River Improvement Act 1948*, and all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth by this Order—

(1) Make advance by way of loan to the Ovens River Improvement Trust of a sum of Five thousand pounds (£5,000); and

(2) Apply the following terms and conditions:—

(a) That the said sum shall be used for the carrying out of works of river improvement within the boundaries of the Ovens River Improvement District.

(b) That the Ovens River Improvement Trust shall, in respect of such advance by way of loan, be subject to the powers, rights, duties, and obligations conferred and imposed by—

(i) the provisions of sections 269, 270, 272 to 277, 279, and 280 of Part VII., of the *Water Act 1928*, as amended by any other Act, so adapted that the word "Authority" therein shall mean "the Ovens River Improvement Trust", and

(ii) the provisions of section 281 of the said Part VII. of the *Water Act 1928*, so adapted as if for the expressions "any waterworks trust or local governing body" and "such waterworks trust or local governing body" there were substituted the expression "the Ovens River Improvement Trust".

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

KIEWA RIVER IMPROVEMENT TRUST.

*At the Executive Council Chamber, Melbourne, the
eleventh day of March, 1959.*

PRESENT:

His Excellency the Governor of Victoria.
Mr. Chandler | Sir Thomas Maltby.
Mr. Porter |

LOAN OF £5,000.

IN pursuance of the powers conferred by section 43 of the *River Improvement Act 1948*, and all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth by this Order—

(1) Make advance by way of loan to the Kiewa River Improvement Trust of a sum of Five thousand pounds (£5,000); and

(2) Apply the following terms and conditions:—

(a) That the said sum shall be used for the carrying out of works of river improvement within the boundaries of the Kiewa River Improvement District.

(b) That the Kiewa River Improvement Trust shall, in respect of such advance by way of loan, be subject to the powers, rights, duties, and obligations conferred and imposed by—

(i) the provisions of sections 269, 270, 272 to 277, 279, and 280 of Part VII., of the *Water Act 1928*, as amended by any other Act, so adapted that the word "Authority" therein shall mean "the Kiewa River Improvement Trust", and

(ii) the provisions of section 281 of the said Part VII. of the *Water Act 1928*, so adapted as if for the expressions "any waterworks trust or local governing body" and "such waterworks trust or local governing body" there were substituted the expression "the Kiewa River Improvement Trust".

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

MITTA MITTA RIVER IMPROVEMENT TRUST.

*At the Executive Council Chamber, Melbourne, the
eleventh day of March, 1959.*

PRESENT:

His Excellency the Governor of Victoria.
Mr. Chandler | Sir Thomas Maltby.
Mr. Porter |

LOAN OF £2,500.

IN pursuance of the powers conferred by the *River Improvement Act 1948*, and all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth by this Order—

(1) Make advance by way of loan to the Mitta Mitta River Improvement Trust of a sum of Two thousand five hundred pounds (£2,500); and

(2) Apply the following terms and conditions:—

(a) That the said sum shall be used for the purposes of continuation of river improvement works on the Mitta Mitta River and its tributaries within the boundaries of the Mitta Mitta River Improvement District.

(b) That the Mitta Mitta River Improvement Trust shall in respect of such advance by way of loan be subject to the powers, rights, duties, and obligations conferred and imposed by—

(i) the provisions of sections 269, 270, 272 to 277, 279, and 280 of Part VII., of the *Water Act 1928*, as amended by any other Act, so adapted that the word "Authority" shall mean the "Mitta Mitta River Improvement Trust", and

(ii) the provisions of section 281 of the said Part VII. of the *Water Act 1928*, so adapted as if for the expressions "any waterworks trust or local governing body" and "such waterworks trust or local governing body" there were substituted the expression "the Mitta Mitta River Improvement Trust".

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

AVON RIVER IMPROVEMENT TRUST.

*At the Executive Council Chamber, Melbourne, the
eleventh day of March, 1959.*

PRESENT:

His Excellency the Governor of Victoria.
Mr. Chandler | Sir Thomas Maltby.
Mr. Porter |

LOAN OF £3,500.

IN pursuance of the powers conferred by section 43 of the *River Improvement Act 1948*, and of all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth by this Order—

(1) Make advance by way of loan to the Avon River Improvement Trust of a sum of Three thousand five hundred pounds (£3,500); and

(2) Apply the following conditions:—

(a) That the said sum shall be used for the purpose of continuation of river improvement works on the Avon River and its tributaries within the Avon River Improvement District.

(b) That the Avon River Improvement Trust in respect of such advance by way of loan be subject to the powers, rights, duties, and obligations conferred and imposed by—

(i) the provisions of sections 269, 270, 272 to 277, 279, and 280 of Part VII. of the *Water Act 1928*, so adapted that the word "Authority" therein shall mean "the Avon River Improvement Trust", and

(ii) the provisions of section 281 of the said Part VII. of the *Water Act 1928*, so adapted as if for the expressions "any waterworks trust or local governing body" and "such waterworks trust or local governing body" there were substituted the words "the Avon River Improvement Trust".

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

KING RIVER IMPROVEMENT TRUST.

At the Executive Council Chamber, Melbourne, the eleventh day of March, 1959.

PRESENT:

His Excellency the Governor of Victoria.	
Mr. Chandler	Sir Thomas Maltby.
Mr. Porter	

LOAN OF £2,500.

IN pursuance of the powers conferred by section 43 of the *River Improvement Act 1948*, and all other powers him thereunto enabling, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth by this Order—

(1) Make advance by way of loan to the King River Improvement Trust of a sum of Two thousand five hundred pounds (£2,500); and

(2) Apply the following terms and conditions:—

(a) That the said sum shall be used for the continuation of works of river improvement within the boundaries of the King River Improvement District.

(b) That the King River Improvement Trust shall in respect of such advance by way of loan be subject to the powers, rights, duties, and obligations conferred and imposed by—

(i) the provisions of sections 269, 270, 272 to 277, 279, and 280 of Part VII. of the *Water Act 1928*, as amended by any other Act, so adapted that the word "Authority" shall mean the "King River Improvement Trust", and

(ii) the provisions of section 281 of the said Part VII. of the *Water Act 1928*, so adapted as if for the expressions "any waterworks trust or local governing

body" and "such waterworks trust or local governing body" there were substituted the expression "the King River Improvement Trust".

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

PORTLAND SEWERAGE AUTHORITY.

At the Executive Council Chamber, Melbourne, the eleventh day of March, 1959.

PRESENT:

His Excellency the Governor of Victoria.	
Mr. Chandler	Sir Thomas Maltby.
Mr. Porter	

CONSENT TO BORROWING £5,000.

UNDER the powers conferred by the Sewerage Districts Acts and all other powers enabling him in that behalf, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby consent to the Portland Sewerage Authority borrowing by the issue of debentures the sum of Five thousand pounds (£5,000) to meet the cost of sewerage works at Portland as set forth in the detailed statement bearing date the 6th March, 1959.

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

BALLARAT SEWERAGE AUTHORITY.

At the Executive Council Chamber, Melbourne, the eleventh day of March, 1959.

PRESENT:

His Excellency the Governor of Victoria.	
Mr. Chandler	Sir Thomas Maltby.
Mr. Porter	

CONSENT TO BORROWING £40,000.

UNDER the powers conferred by the Sewerage Districts Acts and all other powers enabling him in that behalf, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council of the said State, doth hereby consent to the Ballarat Sewerage Authority borrowing by the issue of debentures the sum of Forty thousand pounds (£40,000) to meet the cost of sewerage extensions as set forth in the detailed statement bearing date the 6th March, 1959.

And the Honorable Wilfred John Mibus, Her Majesty's Minister of Water Supply for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.