



Victoria Government Gazette

No. S 131 Wednesday 15 October 1997
By Authority, Victorian Government Printer

SPECIAL

Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA FOR THE CONTROL OF FIRE BLIGHT AND THE PROHIBITIONS, RESTRICTIONS AND REQUIREMENTS WHICH ARE TO OPERATE IN THE RESTRICTED AREA

I, PATRICK McNAMARA, Minister for Agriculture and Resources, acting under sections 20 and 22 of the **Plant Health and Plant Products Act 1995** REVOKE the Order Declaring a Restricted Area For the Control of Fire Blight made on 22 May 1997 and MAKE the following Order declaring a Restricted Area For the Control Of Fire Blight and specifying the prohibitions, restrictions and requirements to operate in the Restricted Area.

Dated 15 October 1997

PATRICK McNAMARA
Minister for Agriculture and Resources

Objective

1. The objective of this Order is to restrict the movement of plant and plant products in a specified area and to require persons to take any other actions which may be required to prevent the spread of the exotic disease fire blight.

Authorising provision

2. This Order is made under sections 20 and 22 of the **Plant Health and Plant Products Act 1995**.

Definition

3. In this Order—
“**Fire Blight**” means the exotic disease fire blight caused by the bacterium *Erwinia amylovora*.

Declaration of a restricted area for the control of fire blight

4. The following area is declared to be a Restricted Area:

All that land within the municipal district of the Melbourne City Council and the Yarra City Council bounded by the western and southern side of the railway line easement between South Yarra Station and Flinders Street Station, the eastern side of St Kilda Road and the northern side of Toorak Road.

Prohibitions, restrictions and requirements

5. (1) The removal from the restricted area declared in Clause 4 of any of the genera of plants described in the First Schedule to this Order is prohibited unless the person is authorised to do so under a permit issued under section 21 of the **Plant Health and Plant Products Act 1995** by an inspector appointed under section 51 and complies with the conditions set out in the permit.
- (2) Owners or occupiers of that part of the restricted area declared in Clause 4 and specified in the Second Schedule to this Order are required to destroy or permit the destruction of all of the genera of plants listed in the First Schedule to this Order as directed in writing by an inspector.

FIRST SCHEDULE

Genus	Common Name	Genus	Common Name
<i>Amelanchier</i>	Service berry	<i>Malus</i>	Apple
	June berry	<i>Mespilus</i>	Medlar
<i>Aronia</i>	Chokeberry	<i>Osteomeles</i>	—
<i>Chaenomeles</i>	Japanese quince	<i>Peraphyllum</i>	—
<i>Cotoneaster</i>	Cotoneaster	<i>Photinia</i>	Photinia
<i>Crataegus</i>	Hawthorn	<i>Pyracantha</i>	Fire Thorn
<i>Cydonia</i>	Quince	<i>Pyrus</i>	Pear
<i>Dichotomanthes</i>	—	<i>Raphiolepis</i>	Indian Hawthorn
<i>Docynia</i>	—	<i>Sorbus</i>	Mountain Ash
<i>Eriobotrya</i>	Loquat	<i>Stranvaesia</i>	—
<i>Heteromeles</i>	Christmas berry		

SECOND SCHEDULE

The following areas to the extent they are contained within the Restricted area referred to in clause 4:

1. Government House grounds; the Royal Botanic Gardens; the Old Melbourne Observatory grounds and all that land managed by the Melbourne City Council within 250 metres; and
2. The following streets, including properties with frontages onto these streets:

Acland Street; Alexandra Avenue between Walsh Street and Anderson Street; Anderson Street; Clowes Street between Anderson Street and Airlie Street; Day Street; Domain Road between Dallas Brooks Drive and Walsh Street; Emmerton Place; Fairlie Court; Kurneh Place; Millswyn Place; St Martins Lane; St Martins Place; Domain Street, Hope Street, Leopold Street, Marne Street and Millswyn Street between Domain Road and a point to an imaginary line running in an east west direction through St Martins Lane.

PATRICK McNAMARA
Minister for Agriculture and Resources



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An AGPS Publication
Published by AGPS Publications
Printed by AGPS Printing
a business unit of
Department of Administrative Services
Brunswick Victoria Australia
© State of Victoria 1997
ISSN 0819—548X

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Price Code A