



# Victoria Government Gazette

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**SPECIAL**

## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT BENALLA FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, Keith Hamilton, Minister for Agriculture, under sections 20 and 22 of the **Plant Health and Plant Products Act 1995** make the following Order declaring a restricted area for the control of Queensland fruit fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 1 May 2002

KEITH HAMILTON  
Minister for Agriculture

1. **Objective**

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Benalla 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 and 22 of the **Plant Health and Plant Products Act 1995**.

3. **Definitions**

In this Order-

- (a) "Act" means the **Plant Health and Plant Products Act 1995**; and
- (b) "Queensland fruit fly" means the exotic pest *Bactrocera tryoni* (Froggart); and
- (c) "Regulations" mean the Plant Health and Plant Products Regulations 1996.

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 areas described in Schedules 1 and 2.

5. **Prohibitions, restrictions and requirements**

- (1) The removal from the restricted area into any part of Victoria of any fruit or vegetable listed as a host of Queensland fruit fly in Schedule 5 of the Regulations is prohibited unless the fruit or vegetable is accompanied by a Plant Health Certificate or Plant Health Declaration and in the case of fruit for treatment, packing or processing outside the restricted area, is accompanied by a permit issued by an inspector under section 21 of the Act.
- (2) The owners and occupiers of land described in Schedule 2 must give access to such land at all times to an inspector, after 24 hours notice is given to the occupier or if the occupier consents to the entry, for the purpose of inspection, placing on such land any lures or traps, applying on such land any spray material or bait and performing any other actions which in the opinion of the authorised officer are necessary for the eradication or prevention or spread of the pest.
- (3) The owners and occupiers of land described in Schedule 2, on instructions from an inspector, must strip fruit from trees, collect and dispose of waste fruit, or treat fruit and vegetables listed as hosts of Queensland fruit fly in Schedule 5 of the Regulations in a manner approved by the Secretary.
- (4) Any fruit or vegetable listed as a host of Queensland fruit fly in Schedule 5 of the Regulations which is transported through the restricted area, from areas free of Queensland fruit fly, must be transported in accordance with the conditions of a permit issued by an inspector under section 21 of the Act.

**Schedule 1**

The area of land bounded by a line commencing where Eleven Mile Road intersects with Lake Mokoan, then along Eleven Mile Road in a south easterly direction to the intersection of Eleven Mile Road and Ashmeadow Road, then in a straight line in a southerly direction to the intersection of Lurg Road and Brock Road, then in a straight line in a south westerly direction to the intersection of Benalla Tatong Road and Dennis Road, then in a straight line in a westerly direction to the intersection of Midland Highway and Swanpool Warrenbayne Road, then in a straight line in a westerly direction to the intersection of Benalla Warrenbayne Road and James Road, then in a straight line in a north westerly direction to the intersection of Roachs Road and Cook Road, then in a northerly direction to the intersection of Basin Road and Griffins Road, then in a straight line in a north easterly direction to the intersection of River Road, Baddaginnie Goomalibee Road and Goomalibee Terret Road, then in a straight line in a north easterly direction to the intersection of Benalla Tocumwal Road and Sharp Road, then in a straight line in an easterly direction to the intersection of Old Thoona Road and Cherry Tree Road, then in a straight line in a south easterly direction to the intersection of Lake Mokoan Road and Chesney Vale Road, then along the edge of Lake Mokoan in a southerly direction and then in an easterly direction where the edge of Lake Mokoan intersects with Eleven Mile Road.

**Schedule 2**

The area of land within a radius of one and a half kilometres of the Queensland fruit fly trap 36° 33.3' Northing and 145° 59.696' Easting.

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