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SPECIAL

Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT HAMILTON PARK FOR THE CONTROL OF QUEENSLAND FRUIT FLY

I, John Brumby, Acting 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 6 January 2003

JOHN BRUMBY

Acting Minister for Agriculture

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Hamilton Park 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. Definition

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 in accordance with section 52 of the Act 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.

Schedule 1

The area of land bounded by a line commencing at the intersection of the Hume Highway and Anker Road, then in a straight line in a south easterly direction to the intersection of Home Station Road and Kerrs Road, then in a straight line in a southerly direction to the intersection of Oxley Meadow Creek Road and Reillys Road, then in a straight line in a southerly direction to the intersection of Plemmings Lane and Wangaratta–Whitfield Road, then in a straight line in a south westerly direction to the intersection of Hodges Lane, Simpsons Road and Dundas Lane, then in a straight line in a south westerly direction to the intersection of Twamleys Lane and Youngers Lane, then in a straight line in a westerly direction to the intersection of Granite Road and Embling Road, then in a straight line in a north westerly direction to the intersection of Hernan Road and North Benalla Winton Road, then in a straight line in a northerly direction to the intersection of Lake Mokoan Road and McGann Road, then in a straight line in a northerly direction to the intersection of Sayers Road and Amery Road, then in a straight line in a north easterly direction to the intersection of Jones Road and Irvine Road, then in a straight line in a north easterly direction to the intersection of Ridge Road and Wangaratta Devenish Road, then in a straight line in an easterly direction to the intersection of Wilsons Road and Sessions Road, then along Sessions Road in an easterly direction to the intersection of Sessions Road and Warby Range Road, then in a south easterly direction to the intersection of the Railway line and Boorahaman Road, then in a south easterly direction to the intersection of the Hume Highway and Anker Road.

Schedule 2

The area of land within a radius of one and a half kilometres of the affected property at 36° 26.023 Northing, 146° 14.072 Easting.

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