



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

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

I, Bob Cameron, 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 13 January 2004

BOB CAMERON, MP  
Minister for Agriculture

#### 1. *Objective*

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Rutherglen 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:
  - (a) accompanied by a Plant Health Certificate, Plant Health Assurance Certificate or Plant Health Declaration; and
  - (b) 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.

**SPECIAL**

- (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 at a point where the Murray River intersects with Weidners Road, then along Barnawartha—Howlong Road in a southerly direction to the intersection of Barnawartha—Howlong Road and Chiltern—Howlong Road, then along Chiltern—Howlong Road in a southerly direction to the intersection of Chiltern—Howlong Road and Fishers Road, then in a straight line in a south westerly direction to the intersection of Back Springhurst Road and Chiltern Valley Road, then in a straight line in a westerly direction to the intersection of the Rutherglen—Springhurst Road and Developmental Road, then along Developmental Road in a westerly direction to the intersection of Developmental Road and Three Chain Road, then along Three Chain Road in a northerly direction to the intersection of Three Chain Road and Boundary Road, then along Boundary Road in a westerly direction to the intersection of Boundary Road and Lewis Road, then along Lewis Road in a northerly direction to the intersection of Lewis Road and McPhersons Road, then along McPhersons Road in a westerly direction to the intersection of McPhersons Road and O'Keefe Road, then along O'Keefe Road in a northerly direction to the intersection of O'Keefe Road and Clohesseys Road, then along Clohesseys Road in a westerly direction to the intersection of Clohesseys Road and Boorhamen East Road, then along Boorhamen East Road in a northerly direction to the intersection of Boorhamen East Road and Lilliput Road, then along Lilliput Road in a westerly direction to the intersection of Lilliput Road and Paris Road, then along Paris Road in a northerly direction to the end of Paris Road, then in a straight line in a northerly direction until the line intersects with the Murray River, then along the Murray River in an easterly direction to the point of commencement.

#### **Schedule 2**

The area of land within a radius of one and a half kilometres of the affected property at 36° 03' 00" South, 146° 28' 13" East.

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