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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT WANGARATTA 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 2 February 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 Wangaratta 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. **Revocation**

The Order under sections 20 and 22 of the Act made by the Minister for Agriculture on 9 January 2004 and published in Government Gazette S3 on 9 January 2004 is **revoked**.

4. **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.

5. **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.

6. **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:
 - (a) prohibited unless the fruit or vegetable is 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 or 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.

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- (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 at the intersection of Hills Track and Wangaratta—Yarrowonga Road, then in a straight line in a north-easterly direction to the intersection of Back Estcount Road and Boland Road, then along Boland Road in an easterly direction to the intersection of Boland Road and Hughes Road, then in a straight line in a south-easterly direction to the intersection of the Hume Freeway and Luckie Road, then along Luckie Road in a south-easterly direction to the intersection of Luckie Road and Byawatha Road, then in a straight line in a south-easterly direction to the intersection of Powerhouse Lane and Pyle Road, then in a straight line in a southerly direction to the intersection of Rusholme Road and Tarrawingee Road, then along Rusholme Road in a southerly direction to the intersection of Rusholme Road and the Great Alpine Road, then in a straight line in a southerly direction to the intersection of Alans Road and Markwood—Tarrawingee Road, then in a straight line in a south-westerly direction to the intersection of Colemans Lane and Milawa—Bobinawarra Road, then in a straight line in a south-westerly direction to the intersection of Oxley—Greta West Road, Laceby—Targoora Road and Griffiths Lane, then along Griffiths Lane in a westerly direction to the intersection of Griffiths Lane and Twamleys Road, then in a straight line in a north-westerly direction to the intersection of Egan Road and Upper Taminick Road, then along Upper Taminick Road in a north-westerly direction to the intersection of Upper Taminick Road and Holystead Road, then in a straight line in a northerly direction to the intersection of Jones Road and the Gnarite Creek, then in a straight line in a northerly direction to the intersection of Adams Road and Warby Tower Road, then along Warby Tower Road in a north-easterly direction to the intersection of Warby Tower Road and the Wangaratta—Yarrowonga Road, then along Wangaratta—Yarrowonga Road in a northerly 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° 21' 41" South, 146° 19' 17" East (GDA94Datum); and

The area of land within a radius of one and a half kilometres of the affected property at 36° 21' 7.6" South, 146° 18' 34.4" East (GDA94Datum).

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