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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT WAHGUNYAH 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 at Wahgunyah for the control of Queensland Fruit Fly and specifying the prohibitions, restrictions and requirements which are to operate in the restricted area.

Dated 8 April 2004

BOB CAMERON
Minister for Agriculture

1. **Objective**

The objective of this Order is to declare a restricted area for the control of Queensland fruit fly at Wahgunyah 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, 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.

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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 a point where Keoghs Lane intersects with the Murray River, then in a southerly direction along Keoghs Lane to the intersection of Keoghs lane and Up River Road, then in a straight line in a southerly direction to the intersection of Gills Road and the Murray River Highway, then in a south-westerly direction to the intersection of Carlyle Road and United Road, then in a straight line in a south-westerly direction to the intersection of Sheridans Bridge Road and McPhersons Road, then along McPhersons Road in a north-westerly direction until it intersects with Boorhaman East Road, then in a straight line in a north-westerly direction to the intersection of the Murray Valley Highway and Brimin Road, then in a northerly direction along Brimin Road until it intersects with the Murray River, then in a north-easterly direction along the Murray River 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 $-36^{\circ} 0.7925'$ South, $146^{\circ} 23.765'$ East (GDA94).

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