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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT LANGWARRIN 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 11 February 2005

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 Langwarrin 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—

“Act” means the **Plant Health and Plant Products Act 1995**; and

“Queensland Fruit Fly” means the exotic pest *Bactrocera tryoni* (Froggart); and

“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, Plant Health Assurance 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 of 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.

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- (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.
- (5) A person responsible for importing, introducing or bringing any fruit or vegetable listed as a host of Queensland Fruit Fly in Schedule 5 of the Regulations into any part of Victoria from the restricted area is required to present the material for inspection, examination or treatment and the accompanying Plant Health Certificate, Assurance Certificate, or Plant Health Declaration for inspection and examination at the Plant Standards Centre at the Melbourne Wholesale Fruit and Vegetable Market or a place nominated by an inspector.

Schedule 1

The area of land bounded by a line commencing in Victoria where Browns Road intersects with Pearcedale Road, then along Pearcedale Road in a southerly direction to the intersection of Pearcedale Road and Scott Road, then in an easterly direction along Scott Road to the intersection of Scott Road and Smiths Lane, then in a southerly direction along Smiths Lane to the intersection of Smiths Lane and Baxter–Tooradin Road, then in a westerly direction along Baxter–Tooradin Road to the intersection of Baxter–Tooradin Road and Tyabb–Tooradin Road, then in a south-westerly direction along Tyabb–Tooradin Road to the intersection of Tyabb–Tooradin Road and South Boundary Road East, then in a straight line in a south-westerly direction to the intersection of Bungower Road and Western Port Highway, then along Bungower Road in a westerly direction to the intersection of Bungower Road and Jones Road, then in a northerly direction along Jones Road to the intersection of Jones Road and Station Street, then in a north-westerly direction along Station Street to the intersection of Station Street and Eramosa Road West, then in a westerly direction along Eramosa Road West to the intersection of Eramosa Road West and Binnak Way, then along Binnak Way in a northerly direction to the end of the road, then in a straight line in a north-westerly direction to the intersection of Moorooduc Highway and Sages Road, then in a northerly direction along the Moorooduc Highway to the intersection of Moorooduc Highway and Margate Avenue, then in a straight line in a north-easterly direction to the intersection of McClelland Drive and Skye Road, then in a straight line in an easterly direction to the intersection of Cranbourne–Frankston Road and Centre Road, then in a southerly direction along Centre Road to the intersection of Centre Road and McKays Road, then in an easterly direction along McKays Road to the intersection of McKays Road and Western Port Highway, then in a northerly direction along Western Port Highway to the intersection of Western Port Highway and Browns Road, then in an easterly direction along Browns Road to the intersection of Browns Road and Pearcedale Road 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 38.18546° South, 145.19775° East.

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