



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA AT CHILTERN 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 22 March 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 Chiltern 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* (Froggatt); 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, 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.

**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.
- (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 a place prescribed in the Regulations or a place nominated by an inspector.

#### **Schedule 1**

The area of land bounded by a line commencing at the intersection of Chiltern–Howlong Road and Barnawartha Road, then in a south easterly direction along Barnawartha Road to the intersection of Barnawartha Road and Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and the Hume Freeway, then in a straight line in a southerly direction to the intersection of Watchbox Road and Indigo Creek Road, then in a straight line in a south westerly direction to the intersection of Chiltern Beechworth Road and Old Coach Road, then in a westerly direction along Old Coach Road to the intersection of Old Coach Road and East Triangle Road, then in a straight line in a north westerly direction to the intersection of Cemetery Road and Naylor's Road, then in straight line in a north westerly direction to the intersection of Developmental Road and O'Brien Road, then in a northerly direction along O'Brien Road to the intersection of O'Brien Road and Boundary Road, then in a westerly direction along Boundary Road to the intersection of Boundary Road and Dunnes Road, then in a straight line in a northerly direction to the intersection of Pevitts Road and Chandlers Road, then in a northerly direction along Chandlers Road to the intersection of Chandlers Road and Kings Road, then in an easterly direction along Kings Road to the intersection of Kings Road and Rutherglen Springhurst Road, then in a northerly direction along Rutherglen Springhurst Road to the intersection of Rutherglen Springhurst Road and Parkins Road, then in an easterly direction along Parkins Road to the intersection of Parkins Road and Great Southern Road, then in a northerly direction along Great Southern Road to the intersection of Great Southern Road and the Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of Murray Valley Highway and Popes Road, then in a northerly direction along Popes Road to the intersection of Popes Road and Mt Ochtertyre Road, then in an easterly direction along Mt Ochtertyre Road, which then becomes Hut Road, to the intersection of Hut Road and Chiltern Howlong Road, then in a northerly direction along Chiltern Howlong 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 36° 9' 161" South, 146° 36' 333" East.

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