



# Victoria Government Gazette

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## Plant Health and Plant Products Act 1995

### ORDER DECLARING A RESTRICTED AREA NEAR TOCUMWAL (NSW) 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 4 April 2005

BOB CAMERON  
Minister for Agriculture

1. **Objective**

The objective of this Order is to declare a restricted area in Victoria for the control of Queensland Fruit Fly near Tocumwal (NSW) 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 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.
- (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.

**SPECIAL**

- (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 where a straight line in a southerly direction from the Murray River intersects the Ulupna Bridge Road, then in a southerly direction along the Ulupna Bridge Road to the intersection of the Ulupna Bridge Road and Bearii East Road, then in a easterly direction along Bearii East Road to the intersection of Bearii East Road and Bouchiers Road, then in a southerly direction along Bouchiers Road to the intersection of Bouchiers Road and Murray Valley Highway, then in an easterly direction along the Murray Valley Highway to the intersection of the Murray Valley Highway and Numurkah Road, then in a southerly direction along Numurkah Road to the intersection of Numurkah Road and Fowlers Road, then in an easterly direction along Fowlers Road to the intersection of Fowlers Road and Lorenzs Road, then in a southerly direction along Lorenzs Road to the intersection of Lorenzs Road and Boards Road, then in an easterly direction along Boards Road to the intersection of Boards Road and Labuan Road, then in a southerly direction along Labuan Road to the intersection of Labuan Road and Montgomery Road, then in an easterly direction along Montgomery Road to the intersection of Montgomery Road and Singapore Road, then in a straight line in an easterly direction to the intersection of Tobruk Road and Healy Road, then in an easterly direction along Healy Road to the intersection of Healy Road and Campbell Road, then in a northerly direction along Campbell Road to the intersection of Campbell Road and Lonergan Road, then in an easterly direction along Lonergan Road to the intersection of Lonergan Road and Murray Valley Highway, then in a south easterly direction along the Murray Valley highway to the intersection of the Murray Valley highway and Pye Street, then in a northerly direction along Pye Street to the intersection of Pye Street and the Murray River, then along the Murray River in a north easterly direction along the Murray River to the point of commencement.

**Schedule 2**

The area of land in Victoria within a radius of one and a half kilometres of the affected property at 35.84691° South, 145.59629° East.

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