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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 17 March 2006

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—

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

“Queensland fruit fly” means the exotic pest *Bactrocera tryoni* (Froggatt); and

“Queensland fruit fly host material” means any fruit or vegetable listed as a host of Queensland fruit fly in Schedule 5 of 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 area described in Schedule 1.

5. **Prohibitions, restrictions and requirements**

(1) This order does not apply to Queensland fruit fly host material grown within the restricted area if accompanied by —

(a) an assurance certificate issued by a person who is accredited by the Department of Primary Industries; or

(b) a plant health certificate issued by an authorised inspector —

certifying that the Queensland fruit fly host material has been treated in a manner approved by the Manager Plant Standards.

(2) The removal from the restricted area into any part of Victoria of any Queensland fruit fly host material is prohibited.

(3) 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 the Act which in the opinion of the inspector are necessary for the eradication or prevention of the spread of the pest.

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- (4) The owners and occupiers of land described in Schedule 2, on instruction from an inspector, must strip Queensland Fruit Fly host materials from plants, collect and dispose of waste material, or treat the material in a manner approved by the Manager Plant Standards.

Schedule 1

The area of land bounded by a line commencing at the intersection of the Hume Freeway and Murray Valley Highway, then heading in a straight line in a south-easterly direction to the intersection of Mares Flat Road and Back Martindale Road, then in a south-westerly direction along Mares Flat Road to the intersection of Mares Flat Road and Indigo Creek Road, then in a south-easterly direction along Indigo Creek Road to the intersection of Indigo Creek Road and Watchbox Road, then in a south-westerly direction along Watchbox Road to the intersection of Watchbox Road and Black Dog Creek Road, then in a straight line in a south-westerly direction to the intersection of Old Coach Road and Beechworth–Chiltern Road, then in a straight line in a westerly direction 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 Naylor's Road and Vipond Road, then in a northerly direction along Vipond Road, which becomes Gayfers Road, to the intersection of Gayfers Road and the Hume Freeway overpass, then in a north-westerly direction across the overpass to the Rutherglen–Springhurst Road, then in a westerly, then northerly, direction along Rutherglen–Springhurst Road to the intersection of Rutherglen–Springhurst Road and Kings Road, then in an easterly direction along Kings Road to the intersection of Kings Road and Great Southern Road, then in a northerly direction along Great Southern Road to the intersection of Great Southern Road and Cornishtown Road, then in an easterly direction along Cornishtown Road to the intersection of Cornishtown Road and Trimbles Lane, then in a northerly direction along Trimbles Lane to the intersection of Trimbles Lane and Murray Valley Highway, then in an easterly direction along 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 to the intersection of Mt Ochtertyre Road and Graces Road, then in a northerly direction along Graces Road to the intersection of Graces Road and Chiltern–Howlong Road, then in a south-easterly direction along Chiltern–Howlong Road to 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 a south-easterly direction along Murray Valley Highway to the point of commencement.

Schedule 2

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.60905° East, 36.14958° South.

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