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Plant Health and Plant Products Act 1995

ORDER DECLARING A RESTRICTED AREA AT BENALLA 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 April 2006

BOB CAMERON MP
Minister for Agriculture

1. Objective

The objective of this Order is to declare a restricted area for the control of Queensland Fruit Fly at Benalla, 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.

SPECIAL

- (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 Winton Road and Winton–Glenrowan Road, then heading in a straight line in a north-westerly direction to the intersection of Lake Mokoan Road and Farnley Road, then in a northerly, then westerly direction along Farnley Road to the intersection of Farnley Road and Old Thoona Road, then in a south-westerly direction along Old Thoona Road to the intersection of Old Thoona Road and Benalla–Yarrowonga Road, then in a north-westerly direction along Benalla–Yarrowonga Road to the intersection of Benalla–Yarrowonga Road and Chesney Road, then in a south-westerly direction along Chesney Road to the intersection of Chesney Road and Goorambat–Chesney Road, then in a north-westerly direction along Goorambat–Chesney Road to the intersection of Goorambat–Chesney Road and Peck Road, then in a south-westerly direction along Peck Road to the intersection of Peck Road and Benalla–Tocumwal Road, then in a northerly direction along Benalla–Tocumwal Road to the intersection of Benalla–Tocumwal Road and Paolini Road, then in a westerly direction along Paolini Road to the intersection of Paolini Road and Quinn Road, then in a southerly direction along Quinn Road to the intersection of Quinn Road and the Midland Highway, then in a straight line in a south-westerly direction to the intersection of River Road and Baddaginnie–Goomalibee Road, then in a southerly direction along the Baddaginnie–Goomalibee Road to the intersection of Baddaginnie–Goomalibee Road and Webb Road, then in a westerly direction along Webb Road to the intersection of Webb Road and Griffens Road, then in a southerly direction along Griffens Road to the intersection of Griffens Road and Sloans Road, then in a westerly direction along Sloans Road to the intersection of Sloans Road and Ross Road, then in a southerly direction along Ross Road to the intersection of Ross Road and Robinson Road, then in a southerly direction along Robinson Road to the intersection of Robinson Road and Curries Road, then in a straight line in a south-easterly direction to the intersection of McPherson Road and Roach Road, then in a southerly direction along Roach Road to the intersection of Roach Road and Warrenbayne West Road, then in an easterly direction along Warrenbayne West Road to the intersection of Warrenbayne West Road and Warrenbayne Road, then in a south-easterly direction along Warrenbayne Road to the intersection of Warrenbayne Road and Whites Road, then in a southerly direction along Whites Road to the intersection of Whites Road and James Road, then in an easterly direction along James Road, which becomes Bridgie Lane to the intersection of Bridgie Lane and Dobson Road, then in a north-easterly direction along Dobson Road to the intersection of Dobson Road and Swanpool–Warrenbayne Road, then in a south-easterly direction along Swanpool–Warrenbayne Road to the intersection of Swanpool–Warrenbayne Road and Mansfield Road, then in a straight line in an easterly direction to the intersection of Samaria Road and Knight Road, then in a north-easterly direction along Knight Road to the intersection of Knight Road and Arnott Road, then in a south-easterly direction along Arnott Road to the intersection of Arnott Road and Rothesay Road, then in a northerly direction along Rothesay Road to the intersection of Rothesay Road and Benalla–Tatong Road, then in a straight line in a north-easterly direction to the intersection of Kilfeera Road and Brock Road, then in a straight line in a northerly direction to the intersection of Grant Road and Winton–Lurg Road, then in a north-westerly direction along Winton–Lurg Road, which becomes Winton Road 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 145.96583° East, 36.56333° South.

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