

**Plant Health and Plant Products Act 1995****ORDER DECLARING A RESTRICTED AREA AT WANGARATTA FOR THE  
CONTROL OF QUEENSLAND FRUIT FLY**

I, Joe Helper, Minister for Agriculture, under section 20 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 February 2008

JOE HELPER 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 Wangaratta, and to specify the prohibitions, restrictions and requirements which are to operate in the restricted area.

**2. Authorising provisions**

This Order is made under section 20 of the **Plant Health and Plant Products Act 1995**.

**3. Definitions**

In this Order –

“**accreditation program**” means any program under which a person is permitted to issue an assurance certificate, including any procedures available under the Interstate Certification Assurance (ICA) Scheme;

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

“**authorised person**” means a person authorised by the Department of Primary Industries;

“**inspector**” means a person authorised as an inspector under the Act;

“**Manager Plant Standards**” means the person for the time being occupying or acting in the position of Manager, Plant Standards in the Department of Primary Industries;

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

“**Queensland fruit fly host material**” means any fruit or vegetable listed in Schedule 1.

**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 2.

**5. Prohibitions, restrictions and requirements**

- (1) The removal from the restricted area into any part of Victoria of any Queensland fruit fly host material is prohibited.
- (2) Subclause (1) does not apply if the Queensland fruit fly host produce –
  - (a) is packed, labelled and certified in accordance with any conditions prescribed by the accreditation program, administered by the Department of Primary Industries; or
  - (b) is accompanied by a plant health declaration issued by an authorised person declaring that the host material has been treated in a manner approved by the Manager Plant Standards; or
  - (c) is accompanied by a plant health certificate issued by an inspector certifying that the host material has been treated in a manner approved by the Manager Plant Standards.
- (3) The owners and occupiers of land described in Schedule 3 must give an inspector access to such land for the purposes of inspection, deployment of any lures or traps, application of any treatment or performance of any other actions which are necessary for the eradication or prevention of spread of the pest.

- (4) The owners and occupiers of land described in Schedule 3 must, on instruction from an inspector, 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.

#### 6. Verification of Consignments

Any Queensland fruit fly host produce removed from the restricted area in accordance with clause 5(2), and the accompanying certificate or declaration, must be:

- (a) presented to an inspector for inspection; or  
 (b) verified by a person accredited to do so by the Department of Primary Industries.

#### Schedule 1

Abiu	Eggplant	Orange
Acerola	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape (table grapes only)	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiro (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Sweetsop (Sugar Apple)
Citron	Mangosteen	Strawberry
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)
Durian	Nectarine	

#### Schedule 2

The area of land bounded by a line commencing where Boland Road intersects Federation Way, then in a straight line in a south-easterly direction to the intersection of Benton Road and Carraragarmungee Estate Road, then in a south-easterly direction along Carraragarmungee Estate Road to the intersection of Carraragarmungee Estate Road and Wangaratta–Eldorado Road, then in a southerly direction along Boralma–Tarrawingee Road, to the intersection of Boralma–Tarrawingee Road and Beechworth–Wangaratta Road, then in an easterly direction along Beechworth–Wangaratta Road to the intersection of Beechworth–Wangaratta Road and River Road, then in a southerly direction along River Road, which becomes Markwood–Tarrawingee Road to the intersection of Markwood–Tarrawingee Road and Milawa–Tarrawingee Road, then in a south-westerly direction along Milawa–Tarrawingee Road to the intersection of Milawa–Tarrawingee Road and Oxleys Flats Road, then in south-easterly direction along Oxleys Flats Road to the

intersection of Oxleys Flats Road and Factory Lane, then in a southerly direction along Factory Lane to the intersection of Factory Lane and Kerrs Road, then in a westerly direction along Kerrs Road to the intersection of Kerrs Road and Church Lane, then in a southerly direction along Church Lane to the intersection of Church Lane and Snow Road, then in a straight line in a south-westerly direction to the intersection of Oxley–Meadow Creek Road and Reillys Lane, then in a straight line in a westerly direction to the intersection of Wangaratta–Whitfield Road and Tetleys Lane, then in a westerly direction along Tetleys Lane to the intersection of Tetleys Lane and Oxley–Greta West Road, then in a south-westerly direction along Oxley–Greta West Road to the intersection of Oxley–Greta West Road and Alexanders Lane, then in a straight line in a westerly direction to the intersection of Twamleys Lane and Laceby–Glenrowan Road, then in a westerly direction along Laceby–Glenrowan Road to the intersection of Laceby–Glenrowan Road and Glenrowan–Moyhu Road, then in a north-westerly direction along Glenrowan–Moyhu Road to the intersection of Glenrowan–Moyhu Road and Gladstone Street, then in a westerly direction along Gladstone Street to the intersection of Gladstone Street and Beaconsfield Parade, then in a northerly direction along Beaconsfield Parade to the intersection of Beaconsfield Parade and Old Hume Highway, then in a westerly direction along Old Hume Highway to the intersection of Old Hume Highway and Upper Taminick Road, then in a north-westerly direction along Upper Taminick Road to the intersection of Upper Taminick Road and Sayers Road, then in a straight line in a northerly direction to the intersection of Jones Road and Mount Bruno Road, then in a northerly direction along Mount Bruno Road to the intersection of Mount Bruno Road and Skeets Track, then in a north-easterly direction along Skeets Track to the intersection of Skeets Track and Adams Track, then in a north-easterly direction along Adams Track, which becomes Adams Road, which becomes Warby Tower Road to the intersection of Warby Tower Road and Wangaratta–Yarrawonga Road, then in a northerly direction along Wangaratta–Yarrawonga Road to the intersection of Wangaratta–Yarrawonga Road and Exchange Road, then in a straight line in an easterly direction to the intersection of Boorhaman Road and Naughtin Road, then in a north-easterly direction along Naughtin Road to the intersection of Naughtin Road and Back Estcourt Road, then in a south-easterly direction along Back Estcourt Road to the intersection of Back Estcourt Road and Boland Road, then in an easterly direction along Boland Road to the point of commencement.

### Schedule 3

The area of land in Victoria within a radius of one and a half kilometres of the outbreak epicentre at 146.6731° East, 37.2975° South.

Note: Section 21 of the **Plant Health and Plant Products Act 1995** provides that a person is guilty of an offence and liable for a penalty not exceeding 50 penalty units in the case of a natural person, and 100 penalty units in the case of a body corporate for moving any host material from a restricted area contrary to any restrictions, unless authorised to do so by a permit issued by an Inspector.

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