

COMMONWEALTH OF AUSTRALIA
Environment Protection and Biodiversity Conservation Act 1999
DECLARATION OF AN
APPROVED WILDLIFE TRADE OPERATION

I, Kerry Smith, Assistant Secretary Wildlife Branch, as Delegate of the Minister for the Environment, Heritage and the Arts under the *Environment Protection and Biodiversity Conservation Act 1999*, am satisfied that an operation to salvage harvest tree-ferns by M & K Cole Ferns, is a small-scale operation as defined by regulation 9A.20 under subsection 303FN(10). I declare under subsection 303FN(2) that M & K Cole Ferns is an Approved Wildlife Trade Operation.

This declaration has effect subject to the following conditions applied under S303FT:

1. The operation is to be undertaken in accordance with the proposal submitted on 11 December 2008.
2. Harvest is restricted to *Dicksonia antarctica* (Soft Tree-ferns).
3. All activities covered by this approval must be carried out in accordance with the necessary permits and approvals as required under State and Commonwealth laws.
4. The maximum number of *Dicksonia antarctica* individual tree-ferns which may be harvested is limited to the number specified on the permits issued by the Victorian Department of Sustainability and Environment. Annual harvests must not exceed 35000 individuals. Copies of state permits must be provided to the Department of the Environment, Water, Heritage and the Arts within 14 days of receipt.
5. M & K Cole Ferns must submit annual reports by 31 January to the Department of the Environment, Water, Heritage and the Arts. The annual reports should include the total number of tree-ferns harvested and the total number of tree-ferns exported by M & K Cole Ferns.
6. This declaration is valid for 3 years from the date of gazettal of this declaration, or until approval of a statewide management plan that includes the wild harvest of tree-ferns, whichever is the earlier.

Dated this 10th day of February 2009



Kerry Smith

Delegate of the Minister for the Environment, Heritage and the Arts

Subject to the *Administrative Appeals Tribunal Act 1975*, a person or persons whose interests are affected by this declaration may, within 28 days, make an application in writing to the Department of the Environment and Heritage, for the reasons for the decision. An application for independent review of the decision may be made to the Administrative Appeals Tribunal, on payment of the relevant fee, by or on behalf of the person or persons whose interests are affected, either within 28 days of receipt of the reasons for the decision, or within 28 days of this declaration if reasons for the decision are not sought. Further information may be obtained from:

Director, Wildlife Trade Assessments
Department of the Environment, Water, Heritage and the Arts
GPO Box 787
CANBERRA ACT 2601
Telephone: (02) 6274 2880 Facsimile: (02) 6274 1921