

COMMONWEALTH OF AUSTRALIA
Environment Protection and Biodiversity Conservation Act 1999

**Approved Wildlife Trade Operation (Mr Fern Nurseries—Harvest of Tree-ferns)
Declaration 2019**

I, Louise Vickery, Assistant Secretary, Environment Assessments and Wildlife Trade Branch, as Delegate of the Minister for the Environment under the *Environment Protection and Biodiversity Conservation Act 1999*, am satisfied that an operation to harvest and export specimens of *Dicksonia antarctica* and *Cyathea australis* by Mr Fern Nurseries Pty Ltd is a small-scale operation as defined by Regulation 9A.20 under subsection 303FN(10). I declare under subsection 303FN(2) that Mr Fern Nurseries 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 to the Department on 26 July 2019.
2. Harvest is restricted to Smooth Tree-fern (*Dicksonia antarctica*) and Rough Tree-fern (*Cyathea australis*) from private property in the Otway district in Colac Otway Shire in south-west Victoria. Additional taxa or specimens harvested from additional properties can be exported only on application after approval from the Department of Environment and Energy.
3. This declaration is valid for three years from the date of registration on the Federal Register of Legislation.
4. 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.
5. Accurate records must be maintained and kept up-to-date, and include all information necessary for the reporting outlined in Condition 6. If requested, records will be made available to the Department of the Environment and Energy.
6. An annual report is to be provided to the Department of the Environment and Energy indicating the number of tree-ferns of each species harvested and exported.

Dated this4th..... day ofDecember..... 2019

.....Louise Vickery.....

Delegate of the Minister for the Environment and Energy

A person whose interests are affected by this declaration may, within 28 days, make an application in writing to the Department of the Environment and Energy for the reasons for the decision.

An application for independent review of the decision (under section 303GJ(1) of the *Environment Protection and Biodiversity Conservation Act 1999*) may be made to the Administrative Appeals Tribunal (AAT), on payment of the relevant fee (currently \$884 or reduced fee where applicable due to financial hardship) by the applicant, 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. Applications should be made to the Deputy Registrar, AAT in your Capital City. Please visit the AAT's website at <http://www.aat.gov.au/> for further information.

You may make an application under the *Freedom of Information Act 1982* (Cth) to access documents relevant to this decision. For further information, please visit <http://www.environment.gov.au/foi/index.html>.

Further enquiries should be directed to the Director, Wildlife Trade Assessments Section, Department of the Environment and Energy, Email: wta@environment.gov.au, Telephone: (02) 6274 1900 (options 2).

Note: The name of this instrument was amended on registration as the instrument as lodged did not have a unique name (see subsection 10(2), *Legislation Rule 2016*).