



**Australian Government**

**Department of the Environment, Water, Heritage and the Arts**

## **MEDIA RELEASE**

21 July 2009

### **COMPANY FINED FOR CLEARING HABITAT**

A company must pay a \$220,000 penalty for clearing trees that were likely nesting habitat for the endangered south-eastern red-tailed black cockatoo.

The Federal Court imposed the penalty against Rocky Lamattina and Sons Pty Ltd for clearing 170 trees at the South Australian property, Acacia Downs, in 2004 and 2005.

Under Section 18(3) of the national environment law – *the Environment Protection and Biodiversity Conservation Act 1999* – a person must not take an action that is likely to have a significant impact on a listed threatened species included in the endangered category.

Justice Mansfield ordered the company to pay the \$220,000 penalty, as well as an additional \$22,500 in costs.

He told the court it was appropriate to fix an amount that would have a strong deterrent effect and demonstrate that such conduct was seriously regarded by the community and would not be tolerated by the court.

Federal environment department spokeswoman Rose Webb said this was a good reminder to people and companies to check with the federal environment department before clearing or carrying out any activity that might impact on a nationally protected matter.

For more information on the national environment law and referring activities and projects, go to [www.environment.gov.au/epbc/](http://www.environment.gov.au/epbc/)