



**Australian Government**

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

**MEDIA RELEASE**

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**STATE CORPORATION PAYS OUT AFTER PROTECTED SPECIES DESTROYED**

A state corporation will pay more than \$188,000 after undertaking clearing works that affected the population of a listed critically endangered species.

An enforceable undertaking has been agreed between the federal environment department and V/Line Passenger Pty Ltd, responsible for operating Victoria's regional rail network, after nationally protected matters were destroyed when contractors widened an access track next to the railway line near Bendigo.

Department compliance and enforcement manager Rose Webb said it was disappointing critically endangered plants were destroyed but the final outcome was a good result for the environment.

"Investigations by the department found that up to 38 spiny rice-flower plants were destroyed by V/Line contractors, and this can unfortunately never be recovered," Ms Webb said.

"It is great, however, that we can now put money back into the environment to help protect the species into the future and this can be done without having to go through a lengthy adversarial court proceeding."

In 2007, V/Line cleared vegetation without federal government approval within the Mitiamo Rail Reserve Biosite. In the process, up to 38 spiny rice-flowers were destroyed.

The environment department investigated the breach of the national environment law, agreeing on an enforceable undertaking with V/Line.

This enforcement tool was introduced into national environment law in 2007 and allows the department to negotiate with the responsible party for payment of an agreed sum of money towards environmental outcomes.

Of the \$188,010, which will be paid by V/Line over the next two years, \$25,000 will be used by the spiny rice-flower national recovery team for research and conservation of the species, and \$26,510 will go towards monitoring and recovery of the population and proper fencing of the biosite to prevent future incursions.

The remaining \$136,500 will be used for staff and contractor training to ensure that future railway maintenance and upgrade works do not impact on protected species or other matters of national environmental significance.

"This highlights how important it is for landowners and corporations to talk and liaise with the federal environmental department before carrying out any action which may impact on nationally protected matters," Ms Webb said.

"If unsure, it's best to check. Ignorance of the law is not an excuse and the onus for government approval is on the individual. Once these things are gone, we can never get them back."

This is the second time an enforceable undertaking has been applied under the national environment law. The first enforceable undertaking was made on 25 August 2008, and required a landholder to pay \$20,000 after they inadvertently cleared habitat for the protected striped legless lizard near Cressy, west of Geelong.