

IN THE SUPREME COURT OF VICTORIA AT MELBOURNE
COMMON LAW DIVISION
VALUATION, COMPENSATION AND PLANNING LIST

S ECI 2021 04204

BETWEEN:

KINGLAKE FRIENDS OF THE FOREST INC (ABN 35 186
838 481)

Plaintiff

- and -

VICFORESTS

Defendant

GENERAL FORM OF ORDER

JUDGE: The Honourable Justice McDonald

DATE MADE: 30 November 2021

ORIGINATING PROCESS: Filed on 9 November 2021

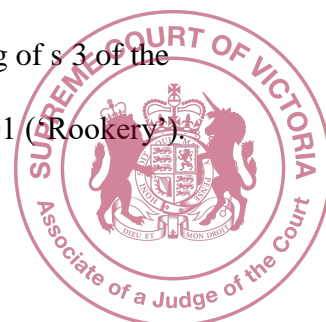
HOW OBTAINED: At the hearing

ATTENDANCE: Mr J Korman, of counsel, for the plaintiff
Mr H Redd and Ms H Douglas, of counsel, for the
defendant

OTHER MATTERS: 1. This order is to be read in conjunction with
the judgment in *Kinglake Friends of the
Forest Inc v VicForests* [2021] VSC 788.
2. This order is signed by the Judge pursuant
to r 60.02(1)(b) of the *Supreme Court
(General Civil Procedure) Rules 2015
(Vic)*.

THE COURT ORDERS THAT:

1. Until the determination of the plaintiff's summons dated 23 November 2021,
which is listed for hearing on 13 December 2021, or further order, the defendant
must not, whether by itself, its servants, agents, contractors or howsoever
otherwise, conduct timber harvesting operations within the meaning of s 3 of the
Sustainable Forests (Timber) Act 2004 (Vic) in coupe 379-505-0001 ('Rookery').



2. Order 1 does not prohibit the defendant from:
 - (a) felling or cutting trees or parts of trees in order to address a serious risk to human safety; and/or
 - (b) removing timber felled as at 30 November 2021.
3. Orders 6 to 9 of the order of the Honourable Justice Incerti made 17 November 2021 are vacated.
4. The further hearing of the plaintiff's summons filed 24 November 2021 is adjourned to 10.30am on 13 December 2021.
5. By 4.00pm on 3 December 2021, the defendant file and serve any affidavit material in relation to the plaintiff's summonses filed 17 November 2021 and 24 November 2021 ('summonses').
6. By 4.00pm on 7 December 2021, the plaintiff file and serve any affidavit material in reply.
7. By 4.00pm on 9 December 2021, the plaintiff file and serve submissions in relation to the summonses.
8. By 4.00pm on 10 December 2021, the defendant file and serve submissions in relation to the plaintiff's summons filed 24 November 2021.
9. Liberty to apply.
10. Costs reserved.

DATE AUTHENTICATED:

30 November 2021

