



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

S ECI 2022 01719

BETWEEN:

GIPPSLAND ENVIRONMENT GROUP INC

Plaintiff

v

VICFORESTS

Defendant

ORDER

JUDGE: The Honourable Justice Ginnane

DATE MADE: 20 February 2023

ORIGINATING PROCESS: Writ filed 13 May 2022

METHOD OBTAINED: On the papers.

ATTENDANCE: None

OTHER MATTERS: A. This order is signed by the Judge pursuant to Rule 60.02(1)(b) of the *Supreme Court (General Civil Procedure) Rules 2015*. This order give effect to minutes of consent orders proposed by the parties.

B. In these Orders:

Code means the *Code of Practice for Timber Production 2014 (as amended 2022)*.

November Orders means the Orders made by the Honourable Justice Ginnane in this proceeding on 30 November 2022.

The following terms have the meaning set out in the Glossary to the Code:

- a. **road maintenance;**
- b. **existing road;**
- c. **coupe infrastructure;**
- d. **coupe driveways;**

- e. **coupe access roads;**
- f. **waterway;**
- g. **snig track;**
- h. **permanent stream;**
- i. **temporary stream;**
- j. **drainage line.**

stream means a permanent stream or a temporary stream.

riparian strips means the areas that must be excluded from timber harvesting under Orders 2(b) and 3(a) of the November Orders, namely riparian strips at least 100 metres wide located along all waterways in the coupe, with an exclusion area at least 50 metres wide on each side of those waterways.

THE COURT ORDERS BY CONSENT THAT:

1. In addition to Order 4 of the November Orders, Orders 1, 2 and 3 of the November Orders do not restrain VicForests from:
 - a) undertaking road maintenance of any existing road; or
 - b) using and maintaining existing coupe infrastructure, coupe driveways and coupe access roads which does not (except as otherwise permitted) involve felling or cutting trees.
2. Orders 2(b) and 3(a) of the November Orders do not restrain VicForests from:
 - a) using, maintaining and rehabilitating any existing road, snig track, or stream crossing in or across a riparian strip; or
 - b) constructing a road, snig track, or stream crossing across a riparian strip for the purposes of coupe access.

DATE AUTHENTICATED: 20 February 2023



THE HONOURABLE JUSTICE GINNANE