

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

S ECI 2020 00373

BETWEEN:

**WOTCH INC**

Plaintiff

-and-

**VICFORESTS**

Defendant



JUDGE:

The Honourable Justice McMillan

DATE MADE:

7 February 2020

ORIGINATING PROCESS:

Writ filed 28 January 2020

HOW OBTAINED:

On return of a summons filed 7 February 2020

ATTENDANCE:

Ms K Foley and Ms J Watson, both of counsel,  
for the plaintiff

Mr IG Waller QC, Mr HL Redd and  
Ms V Howe, all of counsel, for the defendant

OTHER MATTERS:

- A. Upon the plaintiff (by its counsel) undertaking to abide by any order the Court may make as to damages in case the Court should hereafter be of opinion that the defendant shall have sustained any by reason of this order which the plaintiff ought to pay.
- B. Upon the defendant undertaking that it will not, until 4.15pm on 18 February 2020 or until further order, by itself, its employees, servants, agents, or howsoever otherwise, conduct timber harvesting operations within the meaning of section 3 of the *Sustainable Forests (Timber) Act 2004* (Vic) within coupe numbers 312-510-0010 (Rumba), 312-510-0011 (Pumba) and 388-505-0002 (Wales).
- C. Nothing in the defendant's undertaking will prevent the defendant from removing felled timber from the existing snig track within Wales coupe.
- D. The defendant has informed the Court that no timber harvesting operations are presently being conducted in Princess Di, Wabby and Mt Wills Creek coupes (as defined in paragraph 1 of the plaintiff's summons dated 7 February 2020).

E. 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. The plaintiff's summons filed 7 February 2020 be adjourned to the hearing of the interlocutory injunction listed before the Honourable Justice McMillan on 18 February 2020.
2. Costs reserved.
3. Liberty to apply.

DATE AUTHENTICATED:

10 FEBRUARY 2020

  
  
The Honourable Justice McMillan

