

**IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
JUDICIAL REVIEW AND APPEALS LIST**

No. 8547 of 2009

BETWEEN

ENVIRONMENT EAST GIPPSLAND INC

Plaintiff

and

VICFORESTS

Defendant

SECOND AFFIDAVIT OF VANESSA ELIZABETH BLEYER

Date of document:	31 August 2009	
Filed on behalf of:	Plaintiff	
Bleyer Lawyers Pty Ltd		Ph: 9600 4224
Level 1, 550 Lonsdale Street		Fx: 9600 4225
Melbourne 3000		Code: 101385
Em: vanessa@bleyerlawyers.com.au		Ref: Vanessa Bleyer

I, **VANESSA ELIZABETH BLEYER**, Solicitor, of Level 1, 550 Lonsdale Street, Melbourne in the State of Victoria make oath and say as follows:

1. I am the Principal of the law practice Bleyer Lawyers Pty Ltd and have the care and conduct of this proceeding on behalf of the Plaintiff ("**EEG**"). I am authorised to make this Affidavit on behalf of EEG.
2. I make this Affidavit from my own personal knowledge save where otherwise stated, and in my professional capacity.
3. I refer to the affidavit sworn by me on 24 August 2009 and filed herein on behalf of EEG ("**my previous affidavit**"). The last exhibit referred to in that affidavit is marked "VEB-19". As a result, the first exhibit referred to in this affidavit is marked "VEB-20".

Vanessa



Photographs

4. Today, 31 August 2009, Jill Redwood of EEG provided me with some photographs. Ms Redwood informed me and I believe that the photographs were taken by John Renowden who is a science teacher in Melbourne and a member of EEG, Jude Morton who is a photographer who lives in Canberra and a member of EEG, Carmen Robinson who is a student who lives in Wollongong and a member of EEG and some of the photographs were taken by Ms Redwood herself.
5. Ms Redwood further informed me and I believe that all of the photographs are of Brown Mountain. Some of the photos were taken over the course of about two years before the logging in October 2008 of one coupe at Brown Mountain that carries coupe ID 840-502-0020. The photographs were taken in coupe 840-502-0020 and also in 840-502-0015 and 840-502-0019 which are yet to be logged and are two of the four coupes that form the subject of this proceeding. Now produced and shown to me and marked "VEB-20" is a true copy of the photographs taken before the logging.
6. Some of the photographs were taken during the logging of coupe 840-502-0020 in October 2008 and after the logging and during the burning of that coupe in about April 2009. Now produced and shown to me and marked "VEB-21" is a true copy of the photographs taken during and after the logging.

Action statement for loss of hollow-bearing trees

7. My previous affidavit referred to and exhibited some actions statements made under the *Flora and Fauna Guarantee Act 1988 (Vic)*. I omitted referring to and exhibiting the

Uwora.

action statement for loss of hollow-bearing trees from Victorian native forests and woodlands. Now produced and shown to me and marked "VEB-22" is the action statement.

Sworn at Melbourne in the State of Victoria
this 31st day of August 2009

)
) *Varuvali*

Before me:



Una Ebsworth BA LLB(Hons)
Lethbridges Barristers & Solicitors
1/550 Lonsdale Street, Melbourne 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004