

**IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION**

No. 8547 of 2009

BETWEEN

ENVIRONMENT EAST GIPPSLAND INC

Plaintiff

and

VICFORESTS

Defendant

FIFTH AFFIDAVIT OF VANESSA ELIZABETH BLEYER

Date of document:	13 November 2009	
Filed on behalf of:	Plaintiff	
Bleyer Lawyers Pty Ltd		Ph: 9600 4224
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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 22 October 2009 and filed herein on behalf of EEG. The last exhibit in that affidavit is marked “**VEB-24**”. As a result, the first exhibit in this affidavit is marked “**VEB-25**”.
4. On about 28 October 2009, I was instructed to undertake a search of web sites on the Internet in an effort to locate a map conveying the fire severity of the February 2009 bushfires in Victoria. I undertook the search and located a report

Vanessa



titled "Victorian 2009 February Fires – a report on driving influences and land tenures affected" prepared by Chris Taylor. I then located contact details for Mr Taylor, contacted him and asked him where I could locate a map conveying the fire severity of the February 2009 bushfires in Victoria. In response to my request, Mr Taylor sent me an email attaching a map titled "2009 Fire Severity" produced by the Victorian government. Now produced and shown to me and marked "VEB-25" is a true copy of the email and the map attached to the email.

5. On about 28 October 2009, I was instructed to locate some information regarding the alteration of the rules about land clearing where the government recently announced interim planning provisions to simplify residents' entitlements to clear native vegetation around their homes. I undertook a search of web sites on the Internet and located a document produced by the Department of Sustainability and Environment and titled "Making Victoria Fire Ready – Preparing for bushfire". Now produced and shown to me and marked "VEB-26" is a true copy of the document.

Sworn at Melbourne in the State of Victoria
This 13th day of November 2009

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Before me:



PHILIP LINACRE
Barrister & Solicitor
Linacre Lawyers
1/550 Lonsdale Street, Melbourne 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Act 2004