

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

No. 8547 of 2009

BETWEEN

ENVIRONMENT EAST GIPPSLAND INC

Plaintiff

and

VICFORESTS

Defendant

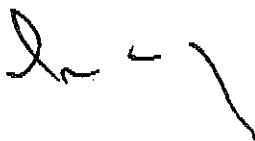
THIRD AFFIDAVIT OF JILL REDWOOD

Date of document:	February 2010
Filed on behalf of:	Plaintiff
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JILL REDWOOD, of 6800 Bonang Rd, Goongerah in the State of Victoria MAKE OATH

AND SAY as follows:

1. I am a member of the committee of Environment East Gippsland Inc ("EEG"). I make this affidavit on behalf of EEG and am authorised to do so. I make this affidavit from my own knowledge and to the best of my recollection unless otherwise stated.
2. I refer to the affidavit sworn by me on 17 November 2009 and filed in this proceeding on behalf of EEG. The last exhibit referred to in that affidavit is marked "JR-55". As a result, the first exhibit referred to in this affidavit is marked "JR-56".
3. I refer to the affidavit of Barbara Ellen Triggs sworn 10 February 2010 and filed in this proceeding ("Ms Triggs' affidavit").



4. I refer to paragraph 4 of Ms Triggs' affidavit. In January 2009, I sent a package to Ms Triggs which contained 5 hair samples taken from 5 hair tubes. I did not send any other packages to Ms Triggs in January 2009.
5. ~~Since about the early 1990s and on a number of occasions various people have laid hair tubes in specific areas of State forest in East Gippsland. The people do so on a voluntary~~ basis. Since about December 2008, the specific areas of State forest where hair tubes have been laid are Goolengook and Brown Mountain.
6. Sometimes, the laying of hair tubes is organised by EEG. Usually, however, the volunteers come from a variety of locations and mostly do not reside in or near East Gippsland. For example, many volunteers come from Melbourne, are students or are travelling from overseas. Many of them are referred to EEG by other environment groups in and around East Gippsland for the purpose of using EEG's hair tube equipment and because EEG has the resources to deliver the hair samples to Ms Triggs for analysis after the hair tubes are collected.
7. Over the past 2 decades, an informal system has developed relating to the laying and collecting of hair tubes. When a volunteer attends my residence and asks to borrow some of EEG's hair tube equipment, I talk them through the process of setting up and collecting the hair tubes to ensure they do the job properly. For example, hair tubes are best laid near small conical animal diggings or animal tracks near thick undergrowth. I also ask them where they plan to lay the hair tubes. As a result, I generally know where the hair tubes are laid. In addition, I tell the volunteer that when retrieving the hair tubes, they must be careful to ensure preservation of any hair samples which have stuck to the tape on the tubes. They are told to cut the tape off, keeping it free of contaminants, press the tape

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between a backing sheet and protective cover sheet, number the tape samples to match the site number as referred to at paragraph 9 below and return them to me.

8. About 15-30 hair tubes are laid in the forest at any given time. These can all be:
- (a) either in one small area;
 - (b) as a circuit through a larger area; or
 - (c) in a couple of sites in close proximity of each other,

within, for example, Brown Mountain or Goolengook. There are often times where no hair tubes are laid and waiting for collection.

9. Each hair tube is numbered on brightly coloured flagging tape which is positioned near where the hair tube is laid. I give the volunteer the flagging tape when he or she collects the hair tubes from me. When the volunteer lays the hair tubes, he or she is told to tie the brightly coloured flagging tape to the site and number the tag with, for example, P1, P2, P3 and so on or Q1, Q2 and so on. "P" stands for Potoroo and "Q" stands for Quoll. The purpose of the flagging tape is to assist in identifying where each hair tube is located when collecting it and to identify the site later should the hair tube return a positive result, that is, collect hair that is later identified as, for example, a Long-footed Potoroo or a Spot-tailed Quoll.

10. When volunteers retrieve hair tubes and bring the hair samples to me, they tell me where they collected the hair tubes from. I soon after send the hair samples to Ms Triggs. When I send hair samples to Ms Triggs, I always write her a note telling her where the hair samples were collected from so she can include that information in her report and so that I have that information included in my records.

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Handwritten signature: J. P. Wood

11. Since the early 1990s, every time a volunteer has returned hair samples to me that contain hair, I send the hair samples to Ms Triggs so that the hair samples can be identified and a report prepared and sent to me. I keep records of all of the reports prepared by Ms Triggs. All of Ms Triggs reports include the location where the hair tubes were collected from. Ms Triggs obtains this information from the note that I send her with the hair samples as referred to in paragraph 10 above. I have filed over 40 reports from Ms Triggs. All of Ms Triggs reports are one page.
12. I cannot recall who the volunteer was that gave me the hair samples in January 2009 that I sent to Ms Triggs and are the subject of Ms Triggs' affidavit. I recall that the hair tube samples were laid at and then collected from Brown Mountain on the Eastern side of Brown Mountain Creek. The hair tube process referred to in this my affidavit is the process that was undertaken in respect of the hair samples the subject of Ms Triggs' affidavit. I did not keep a copy of the note that I sent to Ms Triggs in respect of the January 2009 hair samples the subject of her affidavit.
13. Over about the past 2 decades, Ms Triggs has identified hairs as being from the Long-footed Potoroo in respect of 14 samples prior to the identification in her report exhibited to her affidavit and marked "DET-2". On four of those prior occasions, the hair tube was retrieved from Brown Mountain.

Now produced and shown to me and marked "JR-56" is a true copy of the report showing the previous occasions that Ms Triggs identified hair samples from Brown Mountain as being from the Long-footed Potoroo.

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J.P. David

Now produced and shown to me and marked "JR-57" is a true copy of the reports showing all of the other previous occasions that Ms Triggs identified hair samples as being from the Long-footed Potoroo.

14. Over the past 2 decades, Ms Triggs has identified hairs as being from the Spot-tailed Quoll on 4 occasions. The hair samples were from Ellery Creek catchment, Little Ada River, Bonang River catchment and Goolengook. Ellery Creek catchment is about 10km, Bonang River catchment is about 5km and Goolengook is about 15km from Brown Mountain.

Now produced and shown to me and marked "JR-58" is a true copy of the reports showing all of the occasions that Ms Triggs has identified hairs as being from the Spot-tailed Quoll.

Sworn at *Coongerah* in the State of Victoria
this *9th* day of February 2010

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) *[Signature]*

Before me:

[Signature]

Peter May
School Principal
Coongerah 12/2/2010