

## NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 13/11/2017 1:22:00 PM AEDT and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

### Filing and Hearing Details

Document Lodged:	Originating Application - Form 15 - Rule 8.01(1)
File Number:	VID1228/2017
File Title:	FRIENDS OF LEADBEATER'S POSSUM INC v VICFORESTS
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	First Case Management Hearing
Time and date for hearing:	01/12/2017, 10:15 AM
Place:	Court Room Not Assigned, Owen Dixon Commonwealth Law Courts Building Level 7, 305 William Street, Melbourne



Dated: 14/11/2017 9:21:54 AM AEDT

A handwritten signature in blue ink that reads 'Warwick Soden'.

Registrar

### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

**ORIGINATING APPLICATION**



No.

of 2017

Federal Court of Australia  
District Registry: Victoria  
Division: ACLHR

**FRIENDS OF LEADBEATER'S POSSUM INC**

Applicant

and

**VICFORESTS**

Respondent

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

**Time and date for hearing:**  
**Place:** 305 William Street, Melbourne VIC.

The Court ordered that the time for serving this application be abridged to

Date:

Signed by an officer acting with the authority  
of the District Registrar

Date of document: 13 November 2017

Filed on behalf of The Applicant

Prepared by Danya Jacobs

Law firm Environmental Justice Australia

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Address for service Level 3, 60 Leicester Street, Carlton Vic 3053



### **Details of claim**

1. An injunction pursuant to s 475(2) of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**) restraining the Respondent from:
  - a. undertaking; or
  - b. authorising;any forestry operations in the scheduled coupes in contravention of s 18 of the EPBC Act.
2. An order pursuant to s 475(3) of the EPBC Act that the Respondent set aside an area of forest that is protected from logging in order to mitigate the significant impact on the Leadbeater's Possum caused by the Respondent's contraventions of s 18 of the EPBC Act.
3. An order pursuant to s 475(3) of the EPBC Act that the Respondent set aside an area of forest that is protected from logging in order to mitigate the significant impact on the Greater Glider caused by the Respondent's contraventions of s 18 of the EPBC Act.
4. Costs.
5. Such further or other relief as the Court considers just.

### **Claim for interlocutory relief**

The Applicant also claims interlocutory relief.

1. An interim injunction pursuant to s 475(5) of the EPBC Act restraining the Respondent from undertaking or authorising any forestry operations in the scheduled coupes until further order.

### **Applicant's address**

The Applicant's address for service is:

Place: Environmental Justice Australia, Level 3, 60 Leicester Street, Carlton VIC 3053.

Email: [danya.jacobs@envirojustice.org.au](mailto:danya.jacobs@envirojustice.org.au)

The Applicant's address is PO Box 1175 Healesville VIC 3777.



**Service on the Respondent**

It is intended to serve this application on all Respondents.

Date: 13 November 2017.

A handwritten signature in blue ink, appearing to read "D. Jacobs", is written over a horizontal line.

Signed by Danya Jacobs  
Environmental Justice Australia  
Lawyer for the Applicant