

BETWEEN: **CAROL JEANETTE BOOTH**

Applicant

AND: **FRIPPERY PTY LTD (ACN 010 890 007)**

First Respondent

MERVYN MEYER THOMAS

Second Respondent

PAMELA ANN THOMAS

Third Respondent

JUDGMENT/ORDER

Before His Honour: Judge Robin QC DCJ

Date of Hearing: 12, 13, 14 September 2007

Date of Order: 16 November 2007

IT IS ADJUDGED/ORDERED THAT:

1. That the First Respondent, Second Respondent and Third Respondent be restrained from the commission of an offence against section 88 of the *Nature Conservation Act 1992* by electrocuting, delivering a non-lethal electric shock to, and/or shooting Black Flying Foxes (*Pteropus alecto*) at 376 Volk Road, Mutarnee, being land described as Lot 85 on CWL 1576, County of Cardwell, Parish of Waterview, in the State of Queensland, unless authorised in accordance with section 88 of the *Nature Conservation Act 1992*.
2. That within 2 months of the date of this order, the First Respondent, Second Respondent and Third Respondent, and/or their employees or agents dismantle any electric grid system constructed for the purpose of electrocuting or delivering a non-lethal electric shock to Black Flying Foxes (*Pteropus alecto*) at 376 Volk Road, Mutarnee, being land described as Lot 85 on CWL 1576, County of Cardwell, Parish of Waterview, in the State of Queensland unless the taking of Black Flying Foxes by electrocution or delivering a non-lethal electric shock using such an electric grid is specifically authorised under section 88 of the *Nature Conservation Act 1992*.

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Registrar

JUDGMENT/ORDER
Filed on behalf of the Applicant
PEC-8

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