



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1201/2023

MURRAY LOWER DARLING RIVERS INDIGENOUS NATIONS

Applicant

COMMONWEALTH OF AUSTRALIA and others named in the schedule

Respondent

ORDER

JUDGE: Justice Stewart

DATE OF ORDER: 3 February 2025

WHERE MADE: Sydney

THE COURT ORDERS THAT:

1. The interlocutory application filed on 29 January 2025 by the applicant be dismissed.
2. The time for compliance with order 8 of the orders made on 6 May 2024, being the date by which the applicant is to file and serve any submissions in reply, be extended to **5 February 2025**.
3. By **8 February 2025**, the parties file a joint bundle of authorities in accordance with Format 1 of the practice note GPN-eBOOKS.
4. By **8 February 2025**, the parties jointly file and serve:
 - (a) Any supplementary statement of agreed facts;
 - (b) The agreed supplementary court book; and
 - (c) A subset of volume 3 of the court book containing the consultation reports identified by each party as being ones on which they intend to rely, which identifies by way of shading or annotation any material that is the subject of a proposed application pursuant to s 37AI of the *Federal Court of Australia Act 1976* (Cth) (**FCA Act**).
5. The supplementary court book filed pursuant to order 4(c) above be treated as confidential pending the determination of any application filed pursuant to order 6 below.



6. Any application by the applicant for an order under s 37AI of the FCA Act be served on the respondents by **noon on 9 February 2025**.
7. Any application filed pursuant to order 6 above be made returnable at the hearing of the matter on **10 February 2025**.
8. By **9.30am on 10 February 2025**, counsel for the parties confer with a view to agreeing on how any material that is the subject of an order under s 37AI of the FCA Act is to be treated during the course of the hearing.

Date orders authenticated: **3 February 2025**


Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



Schedule

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Second Respondent MINISTER FOR THE ENVIRONMENT AND WATER
(COMMONWEALTH)

Third Respondent MURRAY DARLING BASIN AUTHORITY

Fourth Respondent STATE OF NEW SOUTH WALES