



Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1056/2024

**ENERGY RESOURCES OF AUSTRALIA LTD ABN 71 008 550 865**

Applicant

**MINISTER FOR RESOURCES AND MINISTER FOR NORTHERN AUSTRALIA  
(COMMONWEALTH)** and others named in the schedule

Respondents

### **ORDER**

**JUDGE:** Justice Kennett

**DATE OF ORDER:** 2 October 2024

**WHERE MADE:** Sydney

#### **THE COURT ORDERS THAT:**

1. The parties provide to Chambers a schedule of any outstanding objections to evidence by 5.00 pm AEDT on 24 October 2024.
2. The word 'including' in particular (b)(i) of ground 1 (in the final line on page 2) of the amended originating application filed 25 September 2024 be struck out.
3. Any application to set aside the Notice to Produce addressed to the applicant and filed 17 September 2024 be filed by 4.00 pm AEST on 2 October 2024.
4. The applicant and the first and second respondents file written submissions (of no more than three pages) on any application filed in accordance with order 3 by 4.00 pm AEST on 3 October 2024.
5. Any application filed in accordance with order 3 be determined on the papers.
6. The applicant be granted leave to amend the Notice to Produce addressed to the first respondent and filed 16 September 2024 such that it takes the form contained in Exhibit LC-5.
7. The Notice to Produce addressed to the first respondent and amended in accordance with order 6 be returnable on 11 October 2024.
8. The Notice to Produce addressed to the second respondent and filed 16 September 2024 be set aside.



9. Costs of today's hearing will be costs in the cause.

Date orders authenticated: 2 October 2024

*Sia Lagos*  
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	COMMONWEALTH OF AUSTRALIA
Third Respondent	MINISTER FOR MINING AND MINSTER FOR AGRIBUSINESS AND FISHERIES (NORTHERN TERRITORY)
Fourth Respondent	NORTHERN TERRITORY
Fifth Respondent	JABILUKA ABORIGINAL LAND TRUST
Sixth Respondent	NORTHERN LAND COUNCIL
Seventh Respondent	YVONNE MARGARULA