

## NOTICE OF FILING AND HEARING

### Filing and Hearing Details

Document Lodged: Interlocutory Application - Form 35 - Rule 17.01(1)(a)  
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)  
Date of Lodgment: 2/10/2024 3:20:31 PM AEST  
Date Accepted for Filing: 2/10/2024 4:03:27 PM AEST  
File Number: NSD1056/2024  
File Title: ENERGY RESOURCES OF AUSTRALIA LTD ABN 71 008 550 865 v  
MINISTER FOR RESOURCES AND MINISTER FOR NORTHERN  
AUSTRALIA (COMMONWEALTH) &ORS  
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA  
Reason for Listing: To Be Advised  
Time and date for hearing: To Be Advised  
Place: To Be Advised



*Sia Lagos*

Registrar

### Important Information

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 date of the filing of the document is determined pursuant to the Court's Rules.

Form 35  
Rule 17.01(1)



## Interlocutory application

No. 1056 of 2024

Federal Court of Australia  
District Registry: New South Wales  
Division: General

### 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

To the First and Second Respondents

The Applicant applies for the interlocutory orders 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.

**Time and date for hearing:**

**Place:** Federal Court of Australia, 184 Phillip Street, Sydney

Date: 2 October 2024

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

Filed on behalf of	Energy Resources of Australia Ltd ABN 71 008 550 865, Applicant		
Prepared by	Leon Chung		
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[Form approved 01/08/2011]



### **Interlocutory orders sought**

1. Pursuant to r 1.32 of the *Federal Court Rules 2011* (Cth) (**Rules**), the notice to produce served pursuant to r 30.28(1) of the Rules by the First Respondent and Second Respondent on the Applicant on 17 September 2024 be set aside.
2. By 4pm on the day after the making of these orders, the First Respondent and Second Respondent file a Notice to Produce reflecting the amendments contained in Annexure A to the Affidavit of Leon Chung dated 2 October 2024, to be returnable on 16 October 2024.
3. Such further or other orders as the Court considers appropriate.
4. The First and Second Respondents pay the Applicant's costs of this interlocutory application.

### **Service on the First and Second Respondent**

It is intended to serve this application on the First and Second Respondent.

Date: 2 October 2024

A handwritten signature in blue ink, appearing to read "L. Chung".

.....  
Signed by Leon Chung  
Lawyer for the Applicant

**Schedule**

No. NSD 1056 of 2024

Federal Court of Australia  
District Registry: New South Wales  
Division: General

**Respondents**

- Second Respondent:** Commonwealth of Australia
- Third Respondent:** Minister for Mining and Minister 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