

## 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: 17/02/2023 8:15:16 PM AEST  
Date Accepted for Filing: 20/02/2023 4:45:40 PM AEST  
File Number: QUD13/2023  
File Title: GOMEROI PEOPLE v SANTOS NSW PTY LTD AND SANTOS NSW  
(NARRABRI GAS) PTY LTD (FORMERLY KNOWN AS  
ENERGY AUSTRALIA NARRABRI GAS PTY LTD) AND ORS  
Registry: QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA  
Reason for Listing: Interlocutory Hearing  
Time and date for hearing: 27/02/2023, 10:15 AM  
Place: Court No. 5, Level 7, Harry Gibbs Commonwealth Law Courts Building Level  
6, 119 North Quay, Brisbane



*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. QUD 13 of 2023

Federal Court of Australia  
District Registry: Queensland  
Division: General

### Gomeroi People (NC2011/006)

Applicant

### Santos NSW Pty Ltd and Santos NSW (Narrabri Gas) Pty Ltd (formerly known as EnergyAustralia Narrabri Gas Pty Ltd) & Another

Respondents

To the 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:** [Registry will insert time and date]

**Place:** [address of Court]

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date:

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

Filed on behalf of (name & role of party) Gomeroi People (NC2011/006)  
Prepared by (name of person/lawyer) Mishka Holt  
Law firm (if applicable) NTSCORP Limited  
Tel (02) 9310 3188 Fax (02) 9310 4177  
Email mholt@ntscorp.com.au  
**Address for service** Level 1, 44-70 Rosehill Street, Redfern, NSW 2016 Australia  
(include state and postcode)



### **Interlocutory orders sought**

1. Orders pursuant to s.23 of *Federal Court of Australia Act 1976* (Cth) and R 1.39 of the Federal Court Rules 2011 that:
  - a. time for service of this Application be abridged from 3 days to 24 hours, and
  - b. this Application be listed for hearing at the Court's earliest convenience after 20 February 2023.
2. An order pursuant to s.170(2)(a) of the *Native Title Act 1993* (Cth), s.23 of the *Federal Court of Australia Act 1976* (Cth) and R 33.22(k) of the Federal Court Rules 2011 that the decision of the National Native Title Tribunal made in paragraph [1041] of *Santos NSW Pty Ltd and Another v Gomeroi People and Another* [2022] NNTTA 74 (19 December 2022) be stayed until further order of the Court;
3. Alternatively to Order 2, an order pursuant to s.170(2)(a) of the *Native Title Act 1993* (Cth), s.23 of the *Federal Court of Australia Act 1976* (Cth) and R 33.22(e) of the Federal Court Rules 2011 restraining the Honourable Paul Lawrence Toole MP, the Deputy Premier and Minister for Regional New South Wales, from acting upon the decision of the National Native Title Tribunal made in paragraph [1041] of *Santos NSW Pty Ltd and Another v Gomeroi People and Another* [2022] NNTTA 74 (19 December 2022) until further order of the Court;
4. Further and alternatively to Orders 2 and 3, an order pursuant to s.170(2)(a) of the *Native Title Act 1993* (Cth), s.23 of the *Federal Court of Australia Act 1976* (Cth) and R 33.22(e) of the Federal Court Rules 2011 restraining the Honourable Paul Lawrence Toole MP, the Deputy Premier and Minister for Regional New South Wales, from acting upon the Determination until further order of the Court, unless he has given the Applicant 7 days' notice of his intention to do so, and provided reasonable particulars of the action he proposes to take.

### **Service on the Respondents**

It is intended to serve this application on the Respondents.



Date: 17 February 2023

*Mishka Holt*

---

Signed by Mishka Holt  
Lawyer for the Applicant

