

NOTICE OF FILING

Details of Filing

Document Lodged: Notice of Contention - Form 77 - Rule 33.21
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
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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



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.



Notice of contention

No. QUD13 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) and another

Respondents

To the Appellant

The Second Respondent contends that National Native Title Tribunal's conclusion at [170]-[177] of its Reasons for Decision (that the Applicant registered on the Native Title Register is the Native Title Party for the purposes of the Right to Negotiate) should be affirmed on grounds other than those relied on by the Tribunal.

The Second Respondent does not seek to cross-appeal from the decision.

Grounds relied on

The Tribunal's conclusion at [170]-[177] of its Reasons for Decision is further supported by s 30(4)(c) of the *Native Title Act 1993* (Cth), which provides as follows:

Other native title parties etc.

...

- (4) If:
- (a) an applicant (the **old applicant**) in relation to a claimant application is a native title party; and
 - (b) the old applicant is replaced as the applicant in relation to the claimant application by another applicant (the **new applicant**); and
 - (c) the new applicant becomes a registered native title claimant;
- the new applicant also replaces the old applicant as the native title party.

Filed on behalf of (name & role of party)	The State of New South Wales, Second Respondent		
Prepared by (name of person/lawyer)	Karen Smith, Crown Solicitor		
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Date: 3 February 2023

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Signed by

Karen Smith, Crown Solicitor
Solicitor for the Second Respondent

Signed in my capacity as a solicitor
employed in the office of the said
Karen Smith

