



Federal Court of Australia

District Registry: Victoria

Division: General

No: VID345/2022

AUSTRALIAN CONSERVATION FOUNDATION INCORPORATED

Applicant

WOODSIDE ENERGY LTD and another named in the schedule

Respondents

ORDER

JUDGE: JUSTICE MOSHINSKY

DATE OF ORDER: 15 December 2022

WHERE MADE: Melbourne

THE COURT NOTES THAT:

- A. The applicant has filed an interlocutory application dated 14 December 2022 seeking leave to amend the originating application and the further amended statement of claim (**FASOC**) to the form of the proposed amended originating application and the proposed second further amended statement of claim (together, the **proposed pleadings**).
- B. The respondents have filed an interlocutory application dated 14 December 2022 seeking to strike out the FASOC.

THE COURT ORDERS THAT:

Intervention

1. The Minister for the Environment and Water be granted leave to intervene pursuant to r 9.12 of the *Federal Court Rules 2011*.
2. The Minister for the Environment and Water bear her own costs of the intervention.
3. The applicant's and respondents' costs arising from the intervention in this proceeding be reserved.



Interlocutory applications

4. By 4.00 pm on 3 February 2023, the respondents provide to the applicant a memorandum setting out all their complaints in relation to the proposed pleadings (noting that, if it becomes necessary to hear and determine the interlocutory applications, the respondents will be limited to relying on the complaints identified in the memorandum).
5. By 4.00 pm on 24 February 2023, the applicant provide to the respondents a response to the respondents' memorandum, including any revised version of the proposed pleadings.
6. By 4.00 pm on 10 March 2023, the respondents provide to the applicant a response to the revised proposed pleadings, indicating whether they consent to leave to amend being granted and withdraw their application to strike out the FASOC.
7. If the respondents do not consent, then the parties' counsel are forthwith to confer to seek to resolve the pleadings issues, such conferral to be completed by 4.00 pm on 24 March 2023.
8. By 4.00 pm on 24 March 2023, the parties are to provide a joint communication to the chambers of Justice Moshinsky indicating whether the pleadings issues have been resolved, and providing the latest version of the revised proposed pleadings.
9. In the event that the pleadings issues have not been resolved, further orders will be made to facilitate the hearing of the interlocutory applications on a date to be fixed as soon as practicable after 24 March 2023.

Other

10. Costs be reserved.
11. There be liberty to apply

Date that entry is stamped: 16 December 2022

Sia Lagos
Registrar



Schedule

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Second Respondent WOODSIDE ENERGY SCARBOROUGH PTY LTD