



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD215/2019

**THE OWNERS - STRATA PLAN 87231**

Applicant

**3A COMPOSITES GMBH**

First Respondent

**HALIFAX VOGEL GROUP PTY LIMITED**

Second Respondent

**ORDER**

Registrar: REGISTRAR CRIDLAND

Date of Order: 20 October 2021

Where made: Sydney

**THE COURT ORDERS THAT:**

1. Leave be granted to the parties to inspect and copy in the Registry, the documents produced in accordance with the subpoenas addressed to:
  - (a) Kur-ring-gai Council (Packet S9); and
  - (b) Mornington Peninsula Shire Council (Packet S10).
2. Leave be also granted to the solicitors for the parties to uplift these documents, physically and/or electronically, for the purposes of inspection and copying, on the following conditions:
  - a) If original documents rather than copies have been produced, the solicitor provides to the Registry a letter of consent from the person to whom the subpoena is addressed.
  - b) Documents not leave the custody of the solicitor, or counsel instructed by the solicitor.
  - c) Documents be returned to the Registry in the same condition, order and packaging as when uplifted.



- d) Documents be returned promptly and, in any event, when an officer of the Registry so requests.
3. The applicant for this order to notify the parties not appearing today of these orders.
  4. On completion of this matter, the Registrar may return to the addressee of the subpoena any document without giving the issuing party any further notice.
  5. The subpoena addressed to Willoughby City Council be adjourned to the Return of Subpoena List before a Registrar at 9.30 am on Wednesday, 27 October 2021 at Law Courts Building, Queens Square, Sydney.
  6. Leave be granted for the parties to approach the Registry for consent access orders to be made on the papers in Chambers.

**Date that entry is stamped: 20 October 2021**

  
Registrar

Subsection 35A (5) of the *Federal Court of Australia Act 1976* (the *Act*) provides that a party to proceedings in which a Registrar has exercised any of the powers of the Court under subsection 35A (1) of the Act may, within the time prescribed by the Rules of Court, or within any further time allowed in accordance with the Rules of Court, apply to the Court to review that exercise of power.

Rule 2.02(3) of the *Federal Court (Bankruptcy) Rules 2016* provides that, subject to any direction by the Court to the contrary, an application under subsection 35A(5) of the Act for review of the exercise of a power of the Court by a Registrar under subsection 35A(1) of the Act must be made by filing an interim application in accordance with Form B3 within 21 days after the day on which the power was exercised.