



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD862/2019

**MAYFIELD DEVELOPMENT CORPORATION PTY LTD ACN 154 495 048**

Applicant

**NSW PORT OPERATIONS HOLD CO PTY LTD ACN 163 262 351** and others named  
in the schedule

Respondent

### **ORDER**

**JUDGE:** JUSTICE JAGOT

**DATE OF ORDER:** 19 August 2019

**WHERE MADE:** Sydney

#### **THE COURT ORDERS THAT:**

1. In respect of the amended Interlocutory Application by the Respondents dated 15 July 2019:
  - a. The proceeding (NSD862 of 2019) be stayed until further order.
  - b. There be liberty to apply.
  - c. No order as to costs.

#### **THE COURT NOTES THAT:**

1. The Respondents sought and have accepted the Applicant's revised consent orders for a stay of NSD862/2019 (**Mayfield proceeding**) pending determination of proceeding NSD2289/2018 (**ACCC proceeding**).
2. The parties have agreed to stay the Mayfield proceeding on the basis that the ACCC proceeding involves several issues for determination that are threshold issues with respect to the Mayfield proceedings, with significant overlap in the factual allegations.

Date that entry is stamped: 19 August 2019



*Warrick Soden*  
Registrar



**Schedule**

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Second Respondent      PORT BOTANY OPERATIONS PTY LTD ACN 161 204 342

Third Respondent      PORT KEMBLA OPERATIONS PTY LTD ACN 161 246 582