

# OUTCOME DETAILS

**Supreme Court - Civil  
at Supreme Court Sydney  
on 13 July 2023**

**2021/00088654-001 / Statement of Claim: Darren Mitchell v Roads and Maritime Services (now known as Transport for New South Wales)**

This matter is listed for Directions (Commercial) on 18 August 2023 10:00 AM before the Supreme Court - Civil at Supreme Court Sydney.

Estimated duration: 5 Minutes

HH makes orders in terms of consent order initialled and dated today's date.

Consent Order

THE COURT ORDERS THAT:

1 By 21 July 2023, the parties are to confer and endeavour to agree on an electronic document exchange protocol.

2 By 14 August 2023, pursuant to rule 21.2(1)(a) of the Uniform Civil Procedure Rules 2005 and on the terms set out in any protocol adopted by the parties pursuant to order 1 above, the Defendant is to give discovery to the Plaintiffs of documents within the classes described in Annexure A to these orders.

3 The directions hearing scheduled for 14 July 2023 be vacated and the matter be re-listed for directions before the Commercial List Judge on 18 August 2023.

Annexure A

1. Any documents referring to, evidencing and/or describing the accounting treatment or accounting standards applied by Roads and Maritime Services (RMS) or Transport for New South Wales (TfNSW) (as applicable) in relation to the leases granted by RMS or TfNSW for the WestConnex Project.

2. As between the New South Wales government (NSW government), RMS, TfNSW, Sydney Motorway Corporation and/or Sydney Transport Partners (including any of their authorised representatives), any document referring to, evidencing and/or describing the WestConnex Project in conjunction with any rights or obligations under section 179 of the Roads Act 1993 (NSW).

Definitions

In respect of the above classes of documents:

A. WestConnex Project means the road infrastructure construction project relating to the construction of approximately 33 kilometres of interconnected motorways in Sydney.

B. Document means any record of information, and includes (a) anything on which there is writing, (b) anything on which there are marks, figures, symbols or perforations having

a meaning for persons qualified to interpret them, (c) anything from which sounds, images or writings can be reproduced with or without the aid of anything else, or (d) a map, plan, drawing or photograph.

Justice M Ball

Signed

Date