

Meeting Date: Wednesday 27 March 2013
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

*Council Meetings will be recorded on audio tape for minute-taking purposes
as authorised by the Local Government Act 1993.*

NOTICE OF BUSINESS

Item **Page**

NOTICE OF MOTION

1 DEFERRED NOTICE OF MOTION: LEGAL COSTS FOR THE
SUPREME COURT INJUNCTION - Councillor Bill Pickering..... 1

CONFIDENTIAL ITEMS

1 SUPREME COURT PROCEEDINGS - LEGAL ADVICE 2

NOTICE OF MOTION**1 DEFERRED NOTICE OF MOTION: LEGAL COSTS FOR THE SUPREME COURT INJUNCTION - Councillor Bill Pickering****File Number: CLM/13/1/4/6 - BP13/174**

This Notice of Motion was deferred from the Council Meeting held on 12 March 2013.**MOTION:**

- (a) That the Mayor provide to Council the exact date for the Supreme Court's determination of costs in relation to the injunction (at one stage attended by ICAC representatives) taken out against Councillors Ivan Petch, Justin Li, Jeff Salvestro-Martin, and Terry Perram, and former Councillors Vic Tagg and Michael Butterworth (as named in a Mayoral minute).
- (b) That in accordance with a previous council resolution, that Council be advised as to the legal representation at this determination on behalf of the City of Ryde and therefore our ratepayers, to ensure the defendants in this case (Petch, Li, Salvestro-Martin, Perram, Tagg and Butterworth) pay their costs and damages as determined by the court.
- (c) That the Mayor provide an explanation to Councillors not involved in this matter and to ratepayers and community as to how our city is to be fairly represented so that maximum costs will be awarded against the defendants (given that the Mayor, himself, is a defendant). Transparency is paramount on this matter given that senior staff with the Ryde Council (and therefore uninvolved Councillors) have been denied access to legal discussions and correspondence with the Mayor's legal representative who is being paid for by Ryde ratepayers.
- (d) That Council is provided with all correspondence relating to this matter including the amount of the costs awarded, and copies of invoices from all parties to whom payments must be made including the defendants' legal representation and associated parties.

CONFIDENTIAL ITEMS

1 SUPREME COURT PROCEEDINGS - LEGAL ADVICE

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

Report prepared by: Acting General Manager

File No.: GRP/12/5/5/5 - BP13/440
