
MEETING OF BELMONT TRUST

MINUTES

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22 December 2009

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CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1- Item 6.1 refers ([Confidential Report](#))

Confidential Attachment 2- Item 6.1 refers ([Advisory Trustee Advice February 2008](#))

Confidential Attachment 3- Item 6.1 refers ([Advisory Trustee Advice June 2008](#))

Confidential Attachment 4- Item 6.1 refers ([Advisory Trustee Advice October 2009](#))

MEETING OF BELMONT TRUST

MINUTES

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PRESENT

Cr G Godfrey, Presiding Member
Cr S Wolff
Cr P Hitt
Cr B Whiteley
Cr P Marks
Cr J Powell
Cr G Dornford
Cr J Gee
Mr S Cole
Mr N Deague
Mr J Olynyk JP
Mr J Hardison
Mr M Ridgwell
Ms C McLean
Ms S Johnson

Chief Executive Officer
Director Community & Statutory Services
A/Director Corporate & Governance
Manager Property & Economic Development
Principal Governance & Compliance Advisor
Legal & Compliance Advisor
Governance Officer

OBSERVERS

Mr M Lee QC
Mr D McLeod

MEMBERS OF THE GALLERY

There were no members of the public in the gallery.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 6.42pm and welcomed those in attendance including Mr McLeod and Mr Lee.

2. APOLOGIES & LEAVE OF ABSENCE

Cr B Martin (Leave of Absence)
Cr C Hanlon (Leave of Absence)
Cr R Rossi (Apologies)
Mr R Lutey (Apologies)

3. DECLARATIONS OF INTEREST

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

4. CONFIRMATION OF MINUTES

MARKS MOVED, WHITELEY SECONDED, That the Minutes of the Belmont Trust Meeting Held 5 August 2008 (as previously circulated) be noted as a true and accurate record.

CARRIED 7 VOTES TO 1

Against: Cr Dornford

Note:

At the request of the Presiding Member, Cr Dornford was asked to detail what errors were present in the Minutes. Cr Dornford replied that he was voting against the Minutes as they did not reflect conversation, word for word, in the Minutes.

The A/Director Corporate and Governance stated that Council has previously considered audio recording of meetings and has chosen not to do so. There is no legal requirement to do so. The City's minute taking process complied with the *Local Government Act 1995* and its guidelines. It was further advised that the Compliance Audit Return will record Cr Dornford voting against the confirmation of minutes. On Cr Powell's request, the Presiding Member undertook to seek advice.

5. PUBLIC QUESTION TIME

The Presiding Member stated that as there were no members of the public present there would not be Public Question Time.

5.1 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil.

6. GENERAL BUSINESS

6.47pm The Presiding Member advised in accordance with Section 5.23(2)(d) (ii) of the *Local Government Act 1995* - if there were any questions or debate on Confidential Item 6.1, then Council will need to go behind closed doors.

POWELL MOVED, GEE SECONDED, that in accordance with section 5.23(2)(d) of the *Local Government Act*, the Forum proceed behind closed doors to discuss Confidential Item 6.1 – Belmont Charitable Trust – Confidential Report, *Local Government Act 1995 s5.23 (2)(d)*.

CARRIED 8 VOTES TO 0

7.24pm The Principal Governance & Compliance Advisor departed the meeting.

7.28pm The Principal Governance & Compliance Advisor returned to the meeting.

HITT MOVED, POWELL SECONDED, that the Meeting again be open to the public.

CARRIED 8 VOTES TO 0

7.45pm The meeting came out from behind closed doors and the A/Director Corporate and Governance did not read aloud the resolution carried behind closed doors as no members of the public returned to the meeting.

6.1 BELMONT CHARITABLE TRUST – CONFIDENTIAL REPORT, *LOCAL GOVERNMENT ACT 1995 s5.23 (2)(d)*

POWELL MOVED, WHITELEY SECONDED, That the Trust:

1. *Note and receive the information contained within the confidential report and endorses the required actions.*
2. *Confirm that the required actions as detailed are to remain confidential until legal resolution is complete.*

CARRIED 8 VOTES TO 0

7. URGENT BUSINESS APPROVED BY THE CHAIR OR BY DECISION

Nil.

8. CLOSURE

There being no further business to discuss, the Presiding Member declared the meeting closed at 7.47pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Belmont Trust Meeting held 22 December 2009 were confirmed as a true and accurate record at the Belmont Trust Meeting held

Without amendment

With amendment

Signed by the Person Presiding: _____

PRINT name of the Person Presiding: _____
