

18.3 H-Class Tram Options (Report No: 328/22)

Motion – Exclusion of the Public – Section 90(3)(b) Order

C090822/2700

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Council hereby orders that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer and Staff in attendance at the meeting in order to consider Report No: 328/22 H-Class Tram Options in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999 Council* is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 328/22 H-Class Tram Options on the following grounds:
 - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business; or would prejudice the commercial position of the Council for the proposed Expression of Interest process for the acquisition of the H-Class 361.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
3. The Council is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Councillor Fleming, Seconded Councillor Smedley

Carried Unanimously

Following Council endorsement of the Former Buffalo Site concept, which excluded the H-Class Tram 361, it is necessary to determine what to do with the tram and the cost implications associated with each option. Options for the tram have been collated and presented in this report. It is recommended that Administration undertake an Expression of Interest (EoI) process to assess the potential for the tram to be re-used and repurposed for the enjoyment of the community.

Motion**That Council:**

1. notes the report.
2. approves Administration to undertake an Expression of Interest (Eoi) process for external stakeholder acquisition of the H-Class Tram 361; and
3. notes the results of an Eoi will be tabled at Council for consideration in early 2023.

RETAIN IN CONFIDENCE - Section 91(7) Order**C090822/2701**

4. That having considered Agenda Item 18.3 328/22 H-Class Tram Options in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Report, Attachments and Minutes be retained in confidence for a period of 18 months and the Chief Executive Officer is authorised to release the documents when the results of the Expression of Interest process has been completed and that this order be reviewed every 12 months.

Moved Councillor Miller, Seconded Councillor Patton

Carried Unanimously

Councillor Lonie re-joined the chamber at 8.54pm.