



Will be considered for release with redactions

MINO-804 Potential impact of the Notice of Motion on LGWM

27 June 2023

Providing information on the potential implications of the recently lodged Notice of Motion on LGWM and the funding partners.

Let's Get Wellington Moving's response:

Background

1. On Thursday 29 June, as part of annual plan consideration, Wellington City Council (WCC) will seek approval to:
 - Approve project budgets for the LGWM Golden Mile and Thorndon Quay Hutt Road projects and reprioritise Long Term Plan (LTP) funding to pay for the council share (approx. 49%) of construction costs in accordance with the Waka Kotahi Funding Assistance Rate (FAR) and the LGWM Relationship and Funding Agreement (RFA). WCC approval is required so LGWM can seek approval from the Waka Kotahi Board in July to release funding from the National Land Transport Fund for the Crown share (approx. 51%) of the implementation costs for these projects.
 - Approve the traffic resolutions, and in tandem the design, that will give effect to the changes to vehicle access and kerbside controls needed for the Golden Mile project. These changes will enable improved bus reliability, improved convenience and comfort for people waiting for buses, reduced pedestrian injuries, more opportunities for walking and cycling, and more attractive streets and shared spaces for people to spend time in.
2. Ahead of these decisions, WCC councillors will consider a Notice of Motion that the Wellington City Council:
 - **Agree** to declare no confidence in the LGWM programme.
 - **Agree** to withdraw from the LGWM programme's partnership's RFA endorsed by WCC on 12 December 2019. Note that the RFA governs the funding of the projects and also the management and governance of the programme.
3. The Notice of Motion was signed by the following elected members: Councillors Calvert (mover), Brown (second), Chung, Free, Randle and Young. Cr Apanowicz has since joined the Notice of Motion in support.
4. Council officer advice on the Notice of Motion is as follows:
 - LGWM has advised that approximately \$40 million of programme expenditure and contracts signed to date is attributable to WCC. If the RFA were to be terminated, it is expected there will be damages and costs payable to the other parties/contractors.
 - Withdrawal from the LGWM RFA will expose WCC to significant legal risk due to the significance of the decision, the lack of any substantive engagement with the community to date on this Notice of Motion proposal, and the substantive departure from the Council's current plans and proposals.

5. Further information about the Notice of Motion and decisions on LGWM can be found in items 2.1 to 2.3 in the WCC agenda paper here: <https://wellington.govt.nz/your-council/meetings/committees/council/2023/06/29>

Programme information

6. The programme has been running deep dive sessions with councillors over the last 10 days culminating in four workshops this week and has responded to councillors' questions and requests for further information.

Possible outcomes

7. There are 16 WCC voting councillors. Six have signed the Notice of Motion. A seventh councillor has expressed support. We understand the mayor has been actively working with councillors over the last week. If the vote is tied at 8 each, the mayor will have a casting vote.

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