

## August 2019 Newsletter: Update



# The Northern Action Group Incorporated

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Dear NAG Member/Supporter

### High Court Appeal

Last December I reported to you that the High Court judge had ordered that NAG could no longer represent itself in the appeal and that we must from now on use professional Counsel.

With the high cost (~\$50K) involved it seemed very likely that we would have to abandon the appeal with the result that the North Rodney community would, once again, be denied justice in this ongoing saga of our pursuit of your right to local governance. Obviously that was something extremely hard to swallow after all the effort that had gone in to our proposal for a new Unitary Council for our area.

However I'm very pleased to now report that at the very last minute an 'angel' appeared in the form of a Barrister who was prepared to take on our appeal pro bono (free of charge).

This is in no small way thanks to local solicitor Mr. Hugh Gladwell of Insight Legal. Although he could not undertake the case himself (not being versed in public law appeals) he approached a colleague, Mr James Gardner-Hopkins, based in Wellington, for us who he knew had plenty of experience in this field of the law.

After studying the detail of the appeal James agreed to take on the task for us on the understanding that we would meet his 'out of pocket' expenses including court fees etc. and he would only invoice us for his time when (and if) any costs were awarded to us by the court.

Obviously this was a very good deal which we readily agreed to and James is very optimistic that we have a strong case. He has prepared and filed compelling arguments with the court and we now await the hearing which is in the Wellington High Court set down for two days on September 30th and October 1st this year, just over a month away.

NAG welcomes you all to attend the hearing if you can on these days. (You could even make an outing of it and take in one of the WOW (World Of Wearable art) shows while in town).

Although James personal expenses should be minimal, as he lives in Wellington, the court fees are already in excess of \$2,500 (and counting) plus the 'Core' documents (bundle of authorities etc.) which the court require to be in a particular format and hyperlinked to the case submissions, need to be professionally prepared which will cost in excess of \$1,000. These two outlays alone pretty much exhaust our current

funds leaving nothing to meet James and any other costs that may arise so we need to raise some more funds.

*As many of you have already given to the cause generously we are therefore appealing only to those of you that have not yet made a donation to find a few dollars for this most worthy cause.*

Please donate by simply depositing in NAG's bank account at;

**WW ASB No 12-3095-0233547-00**

Any amount will be of help and I thank you in anticipation.

## Political Assistance

In the meantime we have been lobbying to get a political decision by way of a binding referendum, as was promised by NZ First at the last election.

The Labour Party (via Phil Twyford) has flatly refused to support an enabling Bill to allow such a referendum - despite strongly supporting us and more local democracy back in 2010. Their coalition partner New Zealand First (NZF) (via Tracey Martin) said their pre-election promise to initiate such legislation did not survive the coalition talks and is why they haven't been able to deliver.

However this is just a weak excuse as the coalition agreement document clearly states that either party can still pursue its own policies outside of the coalition and the partners will simply 'agree to disagree'.

NZF could, therefore, (if it wished) pursue their promise but they would need to find sufficient support in the House (of Parliament) for it to be successful. So we approached Mark Mitchell to see if he would initiate the Bill himself as a private member. He has said he is prepared to do that but (reasonably) only if NZF will first make a written commitment to support the Bill.

NZF say that he must make the first move and negotiate with them on supporting the Bill (a bit rich when it was clearly their promise in the first place.)

Tracey Martin has now wiped her hands of the whole affair and will have nothing more to do with it!!

So we have a political standoff with neither side being prepared to 'jump' first and in the meantime the community they collectively claim to represent continues to suffer under this AC regime.

Fortunately we have a general election coming up so there will be an opportunity for this community to collectively show how disappointed they are with these people when they come seeking our votes.

Yours sincerely

Bill Townson

Chair - Northern Action Group Inc.

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