

## Newsletter March 2016



# The Northern Action Group Incorporated

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Dear NAG Member/Supporter,

In our December newsletter we reported the LGC's sudden abandonment of the MOU we had worked so hard to achieve.

We were astonished at this sudden change of direction and needless to say we came away from the December 7<sup>th</sup> meeting very disappointed that all the work we had put into the MOU had been wasted.

Also on reflection we realised that any negotiations with AC (who have clearly expressed in the past, hostility to the aspirations of self determination of the North Rodney Community) could only involve some sort of compromise away from the clear and unequivocal mandate we had been given by the community of North Rodney. Any such compromise on that mandate would dis-empower us so we declined to be involved in their proposed 'tripartite' arrangement and instead asked to revert to the MOU we had agreed to.

This was refused and we were told very clearly that the LGC would now revert to the strict legal process which they reiterated would be unlikely achieve our aims although they have never explained why this would be so.

We were still of the opinion (and still are) that the initiative of getting the Community engaged in the assessment process at an stage is a good one and looked for a way to try and reignite it. After all isn't this exactly what section 24AA of the act requires? viz:

### **Section 24AA; Purpose of local government reorganisation**

*The purpose of the local government reorganisation provisions of this Act is to improve the effectiveness and efficiency of local government by —*

- (a) providing communities with the opportunity to initiate, **and participate in considering**, alternative local government arrangements for their area; and*
- (b) **requiring the Commission, in consultation with communities**, to identify, develop, and implement in a timely manner the option that best promotes good local government. (emphasis added)*

After some careful study of the legal process we drew up a 'timeline' which would still enable the LGC to engage with the Community but remain within the strict legal process thereby not requiring any law change.

The Commission flatly refused to even consider this and reiterated their intention to follow the strict process. We feel that we are now undergoing some sort of 'punishment' for refusing to work with AC and compromise our mandate.

Although there is nothing we can do about the Commission's approach we will be watching very closely how they conduct the process and if the past performance of the previous Commissioners is anything to go by we fully expect to wind up back in the High court, something neither party wants.

In the meantime despite having had information from AC in early December (such as it was) and commentary from NAG by January 18<sup>th</sup> the Commission has still not considered the issue of 'affected area' and they advise that it will not be even considered until their April meeting.

Our application will then be over 2-1/2 years old and still in the preliminary 'filtering' stages let alone the real business of actually assessing its viability.

The Commission Chair has told us on several occasions that they were well aware that the process has become unduly protracted but that they intend to proceed expeditiously but with great caution. ('Expeditiously' is obviously a very subjective term!)

So I'm afraid its more 'hurry up and wait' for us. We are asking for a meeting with the Minister (to see if he will honor the commitments made by Paula Bennet that we would get a "fair hearing" and that the new CEO would make sure there was more consultation with communities in future). If we don't see some action soon we will have to think about how to make it an election topic, while still keeping the strong and unified support of our community on the issue.

### **Hot off the press....**

LGC just announced that the Waiheke proposal to separate from AC will be assessed by the Commission. However the Commission advises that their application will not proceed further until they have first determined 'affected area' for us which is supposed to happen at their April meeting.

Yours sincerely

Bill Townson  
Chair - Northern Action Group Inc.

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