

## **NAG Fights Back! : January 2018**



# **The Northern Action Group Incorporated**

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Dear NAG Member/Supporter

## **NAG FIGHTS BACK**

The Local Government Commission recently announced their decision on the NAG reorganisation proposal to separate North Rodney from Auckland Council.

After 4 years of deliberations amidst recognised expressions of public dissatisfaction with Auckland Council, they have boldly decided to 'do nothing'.

NAG has responded by filing a notice of appeal with the High Court as we believe the Commission have erred at law on no less than 11 points and also conducted their deliberations in two different areas contrary to the intentions of the reorganisation process as determined by Parliament. It seems clear to us that their errors of law and bias have allowed them to rationalise this very unsatisfactory conclusion.

NAG believes that the Commission has not acted in an objective or impartial way and has shown considerable bias towards retaining the status quo.

This is contrary to the purpose of the reorganisation process which is clearly stated to achieve better local Government in the area. In this case that means not only North Rodney but also the whole region as they chose, wrongly in our view, to make the "Affected Area" the whole of Auckland Council.

The main thrust of NAG's appeal is the Commission's:

1. Failure to engage with the community in a meaningful way as required by the law.
2. Failure to properly investigate the reasonably practical options for reorganisation.
3. Failure to improve Local Government in the area when improvement is clearly needed.
4. Bias towards maintaining the status quo.

We are advised by the High Court Registrar that an initial meeting between the appellant (us) and the respondent (LGC) and a High Court Judge will be held, possibly in February, to discuss and set the terms of reference for the appeal

Although we would prefer to be represented by our legal Counsel and have the appeal conducted by them there would be considerable cost involved and we have limited funds so we may have to self-litigate if we are allowed. (This is something

that is at the discretion of the Judge who will in turn be guided by any appropriate legal precedents).

In the meantime we continue to press for the (N Z First promised) referendum on the issue – to allow the North Rodney community to decide for itself the best form of local governance.

Attempts by the LGC to force amalgamation on communities throughout New Zealand have been consistently rejected by ratepayers and citizens and we think it is only fair that North Rodney gets the choice to decide – which we did not get with the forced amalgamation of the Auckland Region.

However although NZF are still firmly in support of such a referendum it will require special legislation and for that to be achieved it will need support from one or other of the two major Parties in Parliament. We will therefore continue to lobby those parties to support the required legislation.

In conclusion it seems obvious that there are people behind the scenes determined to frustrate a democratic outcome to the issue of our local governance. This is not only in conflict with the law but highly unjust so we are determined not to be intimidated by these forces and will continue to fight for a fair and just outcome.

To do nothing or give up is not an option.

### **APPEAL FOR FUNDS**

Many of you have already contributed generously to the cause financially and your support is much appreciated. However if we are to win in the end we need funds for our appeal and the referendum, so if you are able to contribute again, or alternatively encourage others to help it will much increase our chance of success.

All donations should be deposited in our bank at:

**ASB Warkworth. Account no. 12-3095-0233547-00**

Thank you in anticipation of your continued support!

Sincerely

Bill Townson

Chair - Northern Action Group Inc.

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