

Westhaven Marina Users Association Inc

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Westhaven Marina Users Association Incorporated

Chairman's Report

For Financial Year ended March 31st2020

Following the AGM where we had appointed three new members to the committee, we also approached Margaret Burden to join. She agreed and has made several worthwhile contributions. Ross Littler nominated from the floor found that he did not have the available time and has subsequently resigned.

Immediately following the AGM, Bernard's computer gave up the ghost and we had to purchase a new beast along with a printer, later in the year.

Basil Orr stepped up and re-built our website, a long overdue exercise and it now looks really good. Basil built our new letterhead, featured on this page.

The changes for Panuku have continued to rain down on them. I mentioned last year that we had petitioned Council for a review of Panuku under the Council's 17a structure. In election year a promise was made to review all CCOs and Panuku was certainly severely reviewed. WMUA submitted to the CCO review panel, in conjunction with Auckland Marina Users Association. We were well received and granted a private interview. The review results are due out now.

Auckland Council took ownership, from Panuku, of all assets at Westhaven. This was touted as a move to avoid paying extra tax, on the part of Auckland Council. Panuku still manage Westhaven, but their asset base has been decimated as their annual reports now reflect.

Also, Adrienne Young-Cooper, Chair of Panuku, has been made a Trustee of Westhaven Marina Limited. There are new Trustee obligations which will come into effect early next year. These will change the make of Westhaven Marina Limited.

We are mounting a couple of exercises to open up the number of trustees to include representation from WMUA and also the combined Yacht Clubs of the Northern Reclamation.

Our own Barry Holton has been working with the Combined Yacht Clubs on the Northern Reclamation, to assist Panuku in developing a long-term strategy for Westhaven, well beyond the current first expiry date of 2026.

This group has also been working on projects such as:

- The discharge of raw sewage at Maesfield Beach
- The Mooring Dolphin
- The Sky Path proposal
- Westhaven's new Marina Village

The last of these exercises us the most, especially with the loss of over 140 carparks, the building not meeting the Westhaven Precinct requirements of the Auckland Unitary Plan nor it meeting the requirements of the Coastal Policy Statement. Yet it was still granted a non-notified consent to proceed.

Our support of AMUA in its battle with Auckland Council, to develop a region wide marina strategy had some wins and some losses during the year. Auckland Council issued a non-notified consent to Empire Capital Limited, for exclusive occupation of the three marinas under their management: Westharbour, Bayswater and Pine Harbour. This move nullifies the protection afforded by the Vesting and Empowering Acts in their berth holder's original investments in their berth licences. AMUA believes that this is a critical decision and should be challenged by a judicial review. We supported AMUA with a \$4,200.00

donation to engage a barrister to raise these issues with Council. The Mayor has refused to meet with us and discuss the ramifications of this issue.

Towards the end of the year Panuku distributed a letter to all berth entitlement unit holders, advising that Westhaven Marina Limited wanted to re-write the terms and conditions of their lease. We wrote back outlining that all that this revealed was an attempt to legitimise the ultra vires activities undertaken by Waterfront Auckland, then Panuku, since Auckland Council had taken ownership of Westhaven from Ports of Auckland. Panuku have been unimpressed with our retort, however, we seem to be moving closer to a compromise with Panuku and WML.

It is all very difficult and sensitive at the moment, but Kevin Lidgard wants to compromise and so too do the senior management at Panuku. Hopefully, we will have good news later in the year.

We have our AGM on Tuesday 4th August at Ponsonby Cruising Club. Please support us and let us know which are the pressing issues from your point of view. I look forward to seeing you there.

Euan Little

Chairman

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