

Westhaven Marina Users Association Inc

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Westhaven Marina Users Association Incorporated

Chairman's Report

For Financial Year ended March 31st 2021

We have had a very quiet year since our last AGM on 4th August 2020. This was a delayed meeting due to the effects of Covid 19. Our committee has bedded in well, however I reluctantly advise of the retirement of Bernard Branfield our Secretary Treasurer. Bernard has recently reached a significant milestone and has advised that he wishes to retire.

He has been a stalwart for the years that he has steadied WMUA and we will miss his input. He had negotiated a deal with our auditor and unfortunately, she departs when Bernard does. So, we need some nominations for Secretary Treasurer and for independent Auditor, before the 20th July.

Basil Orr has completely updated our website which is now most informative and is both current plus holds an interesting amount of history of WMUA's involvement in matters for Westhaven marina.

The most pressing issue we have to address is that which hit us towards the end of March 2020, but before the date of the AGM. We wrote a newsletter to all members about the attempt to hold a special general meeting of BEUs and vote on some changes to the existing licence agreements.

The special general meeting idea has been dropped in favour of liaising with us to determine the changes that could be made so that we are working together to "tidy up" Westhaven Marina Limited's operational transgressions.

Panuku want us to consider amendments to the original suggested licence changes. These highlighted amendments are intended to make clearer, the Westhaven Marina Limited's intentions.

Panuku Development Auckland as the manager of Westhaven Marina, has proposed the following amendments be made to the licence:

(a) Allow the existing level of non-recreational boats including the existing level of ferries on Y and YC piers to use marina berths within the Marina

- The current licence allows only recreational vessels to berth. Panuku propose that this is amended to allow some commercial operation as approved by Panuku. Under the proposed amendment, Panuku would consider the interests of berth holders, other users of Westhaven Marina, and Marina assets when deciding to allow or decline commercial operation. No vessels used for port related commercial activity will be permitted.

(b) The introduction of a user pays regime for utilities in the Marina

- The current licence recovers utility costs (primarily water and electricity) through the operating expenses of running the Marina. There are now metering systems in place to enable the introduction of a user pays system. This amendment reflects advances in technology which allow cost effective metering that is fair for everyone. Those that use less, pay less. Those that use more, pay more.

(c) Allow berth holders to sublet their marina berths

- The current marina berth licence prohibits berths from being sublet for any period (or combination of periods) exceeding 12 months. Panuku proposes that this be amended to permit a berth holder to sublet their berth for more than 12 months. Under this amendment, approval and permission to sublet must be granted by Panuku.

(d) Allow a limited number of berth licence holders to live aboard – (FYI - currently 20 liveaboards)

- Living aboard is defined as sleeping overnight on a boat for two consecutive nights or more. Panuku is seeking to amend the current berth licence to permit living aboard, as long as the applicant agrees to and complies with the live aboard rules (separate rules document to be developed with WMUA). The live aboard rules are in place to protect other berth holders' interests and Marina assets. Panuku will hold authority to withhold and withdraw its approval of any live aboard application if it is deemed necessary.

We need your feedback on these issues so that we have a better idea on how you will vote at the BEU meeting that Panuku will call for July/August.

With the closing of the Western entrance, there arose an issue of funding dredging. This then, lead to further investigation into Panuku's treatment of Refurbishment charges and Maintenance charges. There is a concern that the maintenance account charges have been inflated to cater for refurbishment work which has been carried out. We have no definitive detail of this and have to decide whether we actively pursue this enquiry through the trustees and the Auditor General. We have noticed that the Westhaven accounts have been delayed, by the auditor so this may open the avenue for enquiry.

Another issue for us is the Marine Village construction which we objected to, and it went ahead poste-haste anyway. Panuku invited a functions operation to take a large part of one of the buildings. We encouraged the incumbent tenants to act against this and to object to the liquor licence application made by the proposed tenant. The combined yacht clubs have led this charge and the solicitor engaged by RNZYS has successfully agitated against the original extent of the licence. They are up to their 3rd hearing.

Through Barry Holton (Deputy Chair) we have a strong working relationship with the Combined Yacht Clubs on the northern reclamation and, in turn, their relationship with Panuku. Panuku's Kevin Lidgard is engaging the Northern Yacht Clubs and WMUA in planning sessions for the future developments of Westhaven marina.

The first of these is a tidal wall to be built under the harbour bridge and along Curran Street to the Ponsonby Cruising club. This is a short-term response to tidal surges plus flooding of utility services in this area and is also a small part of the long-term response to the threat of global warming and subsequent tidal rise for the whole breakwater.

The second of these is how to manage the expiry of the Existing Trust licences in 2026 and how any renewal may work. Also included in this equation is the legal position of the new berths, and their berth holders, being built beside the Northern reclamation extension. The initial indication is that they will be incorporated into the Existing Trust. We need to better understand what this means.

We have our AGM on Tuesday 20th July 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.

King regards

Euan Little

Chairman

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