

BERTHHOLDERS ASSOCIATION GULF HARBOUR INC.

AGM 27 AUGUST 2025

Location: Gulf Harbour Yacht Club

Meeting: Opened 1935 hours

Present: Bart Allsopp-Smith, Bridget Gorinski, Rob Allsopp-Smith, Iain Forsyth, Tim Holgate, John Butcher, Rachael Davis. There is a separate schedule of other attendees.

Apologies: Ron Mence

Minutes: Minutes of AGM meeting held 11 September 2024 were presented
Accepted as read.
Moved Rob Allsopp-Smith, Seconded Iain Forsyth

**Matters
Arising:** Nil

**Chairman's
Report:** The Chairperson paid respect to Matt Mitchell who passed away earlier this year. He was the driving force behind the re-energising the GHBA in its purpose of protecting Berth Holders interests and assets. That the following report is from initiatives he started.

The year started with the carryover of Berth Holder concerns raised at the GHML AGM in September 2024. The association has been endeavouring to get clarity on the massive cost increase shown in the 2024 GHML accounts (19% increase over 2023). This resulted in both Auditor and Statutory Supervisor Reports being rejected by the Berth Holders at the GHML AGM.

Valuation for Lots 1 and 2 (berth Holder and adjacent public carparks) are valued every five years.

2013 - 2018 valuation \$1,076, 865

2018 – 2023 valuation \$2,408,305 an increase 123%

2023 – 2028 valuation \$5,127,400 further increase 113%

Requested for the GHML AGM but no market comparison justification given to support the almost 500% increase over ten years.

Valuations

GHML have confirmed the valuations for Lots 1 and 2 are the key drivers in Berth Holders carpark costs. Main costs are “depreciation on ROU Asset and interest”.

Historically there were two valuations commissioned, one by GHML and one by Auckland Council and changed with an “associated entity” of GHML, prepaying the lease costs in 2021 for Lots 1 and 2 until 2088. Valuations are now commissioned by GHML only – Statutory Supervisor gets to see these. GHBA has pointed out to the Statutory Supervisor is to Berth Holders disadvantage, ie no neutral or Lessee/Lessor, two party valuations comparison. Statutory Supervisor pointed out that historically two independent valuations were required which is what GHML are providing.

GHBA have not taken this issue further at this stage, strongly believe that this is a material change to the “before prepayment” valuation process and should be corrected.

Valuation Basis

GHBA now know Lots 1 and 2 have been valued by GHML valuers as “Light industrial zoned land and industrial yard-based rentals”.

This is incorrect as 2009 Court of Appeal decision against GHML/GHIL stated in part that Development plans GHM1 and GHM2 are prescriptive as to end use – ie. GHM1/GHM2 state Lots 1 and 2 are “carparks”. This information has been passed to GHML on 11 July 2025, requesting Lots 1 and 2 be urgently revalued, at their expense, as “carparks”.

GHBA has also requested: -

1. How long has the incorrect basis of valuation been in place.
2. What is the financial impact on Berth Holders.
3. How will any monetary corrections be managed?

Several reminder requests have resulted in noting back from GHML, apart from telling us to refer to the Sat Supervisor who in turn has stated it is a GHML issue to handle.

Benchmark Marina Carpark Costs

We have information that the value applied to our carpark is dramatically higher at about.

Seventy-five percent more than other Auckland based marinas. GHBA as advised GHML of the dramatic Variance.

GHML Financial Accounts

GHBA has spent enormous time endeavouring to understand the GHML 2023/2024 accounts and Sue at GHML has been very patient and helpful in providing clarity.

The two key drivers are:

Depreciation on ROU asset and Interest.

Coffee Catchups

Several of the Committee have met every six to eight weeks with the marina management to chat over any marina related issues – some of which have been: -

WIFI speed – faster speed possible but expensive

Magnetic Gates – Some initial issues but appear to be ok now.

UK Baker – Confirmed his power usage is not billed to the Berth Holders

Status of Marina – Another survey completed on all of the piles, pontoons, and fittings. GHML should have this data available at their AGM in September.

Summary

GHML have confirmed there is no cost to the Berth Holders due to the 2021 lease prepayment deal.

A puzzling statement given the 113 % increase in Depreciation of ROU Asset and interest, for the subsequent 2023-2028 period, on top of the 123% increase for the 2018 – 2023 period.

Your association remains committed to ensuring costs charged to Berth Holders are fair and commercially/marketplace realistic.

Bart moved his report be accepted

Seconded Martin Baker

Treasurers Report:

Membership Subscriptions are slow again with only forty-two of those who have registered at 30 June 2024 have paid subscriptions

Subscription income for the year ended 30 June 2025 was \$3,295 with expenses of \$317.

Bridget Gorinski moved report be adopted,

Seconded Diane Lindsay

Carried.

Election of Officers:

Bart Allsop-Smith has been elected as Chairperson. The rest of the committee is made up of Bridget Gorinski as Treasurer/Secretary, Rachael Davis as Membership Secretary, Rob Allsop-Smith, Tim Holgate, Iain Forsyth John Butcher.. Two nominations from the floor, Graham Brown and Ted Jordan.

Moved Diane Lindsay

Seconded Allan Hooper

Carried

General

Business:

There was considerable discussion and concerns raised following the report from Chair, Bart Allsop-Smith.

There was a query as to who was paying the staff at Fairway Bay as it had been noted some of the marina staff were seen over Fairway Bay and phone calls for Fairway Bay being answered by the Marina office staff.

One potential Berth Holder (currently a renter) was looking to purchase a berth but was advised not to by his lawyer.

A concern was raised that GHML could demolish the marina and rebuild. Chair response was that move unlikely as there is a refurbishment fund which Berth Holders contribute to on a quarterly basis. A survey is due for release at the GHML AGM on the status and programme for replacement of piles, pontoons, and fittings. There is a traffic light system regarding maintenance schedule – Red (attend immediately), Orange (watch), Green (ok).

Nevertheless, concern was still raised as the possibility of a bulk payment being required from Berth Holders in such an instance. This was put to rest by the detail as outlined by Bart above.

Getting the message out to Berth Holders to get them to join the Association was raised. It was pointed out that advertising, leaflet drops on boats is not permitted by GHML. Suggested those members and attendees talk to fellow Berth Holders to point out the benefits etc and issues. Possible advertising and an article in Hibiscus Matters was suggested.

Some suggested we get stickers and burgees and put these on our boats. This was considered not a good idea as it could raise the ire of GHML management when the Association has such an important issue to resolve at this time.

Raised again this year was the possibility of the renters becoming Associate members and without voting rights. There is some difficulty with this as some renters are renting directly from the Marina which could raise some issues. This was rejected but suggested the renters talk to the Berth Holder (landlord) and encourage them to join the Association. This would in turn provide benefit to both parties.

Constitution

Resolution: “That the existing Constitution of the Association be revoked and a new Constitution in the form circulated with the Notice of Meeting be adopted”.

The reason for this was the amendment of the Incorporated Societies Act in 2022 meant there are new requirements and detail to be included in the document. The amended document must be lodged with the Incorporated Societies Office by 1 April 2026 or our Association would cease to exist.

Moved this be adopted, Rob Allsopp – Smith

Seconded John Butcher

Carried.

Subscriptions

That the subscriptions be left at \$75 for the 2025/2026 financial year.

Moved Rob Alsopp- Smith

Seconded John Butcher

Carried.

With there being no further business the meeting closed at 2105 hours.

Those present were invited to stay for refreshments.

Meeting closed at approximately 2105 hours.