

**Minutes of the Swimming New Zealand Annual General Meeting
Held at Pelorus Trust Sports House, 93 Hutt Park Road, Seaview
Sunday 20 September 2009**

PRESENT

Board

Murray Coulter (President/Chair), Ross Butler (Vice-President), Allan Barrett, Mark Berge, John West, Jane Wrightson

Life Members

Bill Matson, Don Stanley

Regional delegates

Kim McCahon, Marty Hampton (Northland), Brian Palmer, Dominic Toomey, Teresa Stanley (Auckland), Debra Mahony, Lisha Hunter, Jeannie Sibun (Counties Manukau), Humphrey Pullon, Mike Holcroft (Waikato), John Munro, Bronwen Radford (Bay of Plenty), Claire Weir, Andrew Wood (Taranaki), Keith Bone (Hawkes Bay Poverty Bay), Antony Ponting, John Rhodes (Wanganui), Dianne Farmer (Manawatu), Phillip Dunlop, Maryann Corrigan (Wairarapa), Rosie Gibson, Neil Woodrow, Greg Forsythe (Wellington), Stephen Fryer, Daniel Padial (Nelson/Marlborough), Gill Cain, Jenny Johnston (Canterbury/West Coast), Shane Jones (Eastern Districts), Colin Walker, Mandy Grainger (Otago), Nigel Soper (Southland), Mark Saunders (NZSCAT)

Awards Committee

John Mace, Enid Wordsworth

Guests

Joan Matson, Jackie Stanley, Kaye Lillico, Ian McPhee, Ian Butterworth

Staff

Mike Byrne (Chief Executive), Mark O'Connor, Tania Black, Lisa Conroy, Marge Hocken, Libby Peckham, Dorothee Geenen

1. WELCOME

The President opened the 119th Annual General meeting and welcomed FINA Vice President Bill Matson, Life Members, Past Presidents, Guests, Delegates, Staff and the Board.

2. APOLOGIES

Apologies were received from Maurice and Marjorie Duckmanton, Norma and Cliff Williams, Noel and Bobbie Smith, David Jack, Ron Clarke, Jim Cole and Nevill Sutton, and Colin Kennedy.

President/Swimming Counties Manukau

3. MEMORIAM

The President invited Swimming New Zealand Life Member Don Stanley to give a eulogy for Swimming New Zealand and Swimming Taranaki Life Member Ian

Russell who passed away in July. Mr Stanley said he felt he couldn't do justice to a person who had achieved so much for swimming and for his local community of New Plymouth but was honoured to speak about Mr Russell's many achievements in both areas over more than 60 years.

The President then invited Keith Bone to speak on behalf of Swimming New Zealand, Swimming Hawke's Bay Poverty Bay and NZSCAT Life Member Bert Cotterill. Mr Bone spoke fondly of a friend and colleague whose many achievements culminated in his being awarded Swimming New Zealand Life Membership at last year's AGM. Mr Bone said Mr Cotterill had given so much to the sport of swimming and would be missed throughout New Zealand and particularly in the Hawke's Bay Poverty Bay region.

Swimming New Zealand President Murray Coulter mentioned other colleagues dedicated to swimming that had recently passed including Swimming Wairarapa Life Member Bill Finlayson and Hawke's Bay Poverty Bay Vice-President and Chairperson and Technical Officer for Swim Eastland Guy Bull.

The President and delegates then stood to observe a minutes silence as a sign of respect.

The President also made special mention of Swimming New Zealand Life Member Ron Shakespeare who was recovering after suffering a stroke and was pleased to note that the thoughts of the membership were with Ron.

4. CONFIRMATION OF MINUTES

IT WAS RESOLVED

"That the minutes of the 118th Annual General Meeting of Swimming New Zealand held Sunday 19 September 2008 be adopted as a true and correct record"

John West/Swimming Counties Manukau

Matters arising from the 2008 AGM minutes

There were no matters arising from the 2008 Swimming New Zealand Annual General Meeting minutes.

5. ANNUAL REPORTS

As the chief executive had given a comprehensive report to the regional forum the day before the AGM, the President was happy to provide a summary for AGM delegates.

The President said the Swimming New Zealand Board and management team had worked tirelessly over the last 12-months, the result of which saw:

- A significant turn-around in financial performance, which he said the organisation could be extremely proud of, especially as services had been maintained or improved at the same time

- A restructure which had resulted in a new improved staff culture. The President thanked the Chief Executive and his team for handling the restructure in such a professional manner
- Work being done in the High Performance Programme, including a new plan that was put to SPARC; The President noted that SPARC was very complimentary of the report
- Membership services continuing to improve. It was noted that the Fastlane Newsletter was a great addition and was helping Swimming New Zealand connect with the swimming community. It was also noted that membership had grown in the last two years, which was largely the result of work at regional and club level. The President thanked regions and clubs for such a positive result and congratulated them for an increase in membership in an economically challenging period
- Ongoing development of partnerships with key stakeholders such as SPARC and Water Safety New Zealand

The President thanked contributors from all areas (swimmers, coaches, administrators, officials) for a great year. He said there was still a lot to do but with a strong focus and ongoing support at the grassroots level, the outlook for swimming was very promising.

IT WAS RESOLVED

“That the Swimming New Zealand Annual Report for the period ending 30 June 2009 be adopted as a true and correct record”

President/Swimming Counties Manukau

6. FINANCIALS

The President invited Ross Butler to present Swimming New Zealand’s financial statements to 30 June 2009.

Mr Butler presented the financial reports and in doing so acknowledged Swimming New Zealand’s General Manager of Business Support, Mark O’Connor. He said Mr O’Connor, who had commenced at Swimming New Zealand in January, was an asset and had ensured sound financial management of Swimming New Zealand.

After presenting the financial statements, Mr Butler called for any questions or discussion.

- Waikato’s Humphrey Pullon noted that while overall memberships had increased, competitive membership had decreased, which was of concern. He also noted that administration costs had increased
- Life Member Don Stanley raised his concern at the high level of user pays for already struggling swimmers and asked if Swimming New Zealand had a policy to address this issue. The chief executive noted that the user pays

sum appeared higher because opportunities for swimmers to compete had increased. In addition, Mr Butler advised per event the user pays amount was lower than the previous year; the number of events had however increased.

IT WAS RESOLVED

“That Swimming New Zealand’s financial statements to 30 June 2009 be adopted as a true and correct record”

Ross Butler/Swimming Nelson Marlborough

Election of Auditor for the 2009/10 financial year

Mr Butler noted that the auditor should be appointed, not elected, and with the meeting’s consent, suggested an auditor be appointed today and that the constitution be amended to reflect this.

IT WAS RESOLVED

“That Swimming New Zealand appoint Accountants Plus, Chartered Accountants of Lower Hutt, as Swimming New Zealand’s auditors for the 2009/10 financial year”

Ross Butler/Swimming Counties Manukau

7. 2009/10 BUDGET

The President invited Ross Butler to present the 2009/10 Swimming New Zealand budget. The key points were:

- SPARC has stated that High Performance funding is under review and this was a risk that needed monitoring. In addition, a close eye needed to be kept on education income
- Swimming New Zealand was in a dire financial situation two years ago and this had been successfully turned around due to sound and prudent financial management. Mr Butler noted that Swimming New Zealand was now building its reserves for future investment and to mitigate future risks e.g. a decline in traditional funding

IT WAS RESOLVED

“That Swimming New Zealand’s budget to 30 June 2010 be adopted as a true and correct record”

Ross Butler/Swimming Auckland

- Mr Pullon from Waikato asked how Swimming New Zealand expected to secure the additional income in Events as represented in the budget.
- The chief executive responded that there was some risk to the income projected however some of the income would come from increases in event

fees and there was a strong push for additional sponsorship such as that secured from Mayfair pools.

8. ELECTION OF DIRECTORS, AWARDS' COMMITTEE

IT WAS RESOLVED

"That Swimming New Zealand Life Members Bill Matson and Don Stanley be appointed as scrutineers for the election process"

John West/Swimming Manawatu

The President explained the '*Proportional Representation under the Single Transferrable Vote System*' method for voting and advised delegates that there were four nominees for two vacancies. The nominees were:

- i. Allan Barrett
- ii. Humphrey Pullon
- iii. Mark Saunders
- iv. Dominic Toomey

At the conclusion of voting, the President announced the following two candidates had been successful:

- i. Dominic Toomey
- ii. Humphrey Pullon

He congratulated both nominees and welcomed them onto the Swimming New Zealand Board. The President also thanked the unsuccessful candidates for their willingness to be nominated.

Board Director John West congratulated Mr Barrett for the robust discussion he provided at board level and the significant contribution he made to Swimming New Zealand while on the board.

In terms of the Constitution clause 16.5 the President requested the Scrutineers to destroy the ballot papers.

Awards' Committee

The President advised that as only one nomination had been received for the one Life Member position vacant on the Swimming New Zealand Awards' Committee, he had pleasure in announcing Noel Smith as the successful candidate. He congratulated Noel and then took the opportunity to thank the awards' committee for the work they undertook on behalf of Swimming New Zealand.

9. REMITS

The President advised that each voting delegate had a voting card in front of them to be used for voting on the remits.

Remit 1

Board Director John West spoke to the remit and after discussion:

IT WAS RESOLVED

“That each regional association shall collect all such fees, and shall remit to SNZ in each financial year all SNZ fees due from 01 June to 30 September no later than 20 October and all fees due from 01 October to 31 January not later than 20 February and all fees due from 01 February to 31 May no later than 20 June.”

It was noted that “Subject to technical issues being addressed, Swimming New Zealand would move to a process to invoice regions, and send a list of members with the invoice, for each affiliation period; Regions would be kept advised of any changes in the process which would follow the successful implementation of changes to the systems.”

Swimming New Zealand Board/Swimming Manawatu

Remit 2

Board Director John West spoke to Remit 2. Following this, discussion on the Remit centred round the double handling between with the Zeus database and Team Manager. The Swimming New Zealand Board recognised that it was a priority for Swimming New Zealand to investigate a resolution to the problem of non-integration of the Zeus database and Team Manager Software.

IT WAS RESOLVED

“That every club or region on a club’s behalf shall update the contact details of every member of their club in SNZ’s national database no later than 14 days after joining or renewing membership. Every club shall remit to their Regional Association and SNZ a completed SNZ membership application form for every new member no later than 14 days after a new member joins their club; and

IT WAS RESOLVED

“That a member will be ineligible to compete in any swimming competitions conducted by any Club, Regional Association and SNZ if they have not paid to their club all club, regional association and SNZ membership fees or supplied contact details within 14 days of the dates they fall due and their membership details are not entered into the national database in line with Rule 9.4”

SNZ Board/Swimming Manawatu

Remit 3

John West spoke to Remit 3, which was an operational matter.

IT WAS RESOLVED

“The collection and submitting to SNZ of all its member clubs and the names and addresses of all members of those clubs via an up-to-date and accurate record in SNZ’s national database

SNZ Board/Swimming Canterbury West Coast

Remit 4

Ross Butler spoke to Remit 4 which was a straight forward amendment to enable Swimming New Zealand to obtain charitable status. It was noted that in terms of Constitution clause 19.4 the amendment required approval of the Inland Revenue Department and this would be sought immediately following approval by the meeting.

IT WAS RESOLVED

"That Rule 37.2 be amended to read: If, in the event of SNZ being wound up or dissolved, there remains after the satisfaction and discharge of all debts, liabilities and obligations, any property or assets, the same shall be given or transferred to an association or organisation having objects similar to SNZ and who comply with the requirements of the Charities Act and are registered as a Charity"

SNZ Board/Swimming Auckland

Remit 5

IT WAS MOVED

"That each such delegate present will be entitled to one vote. If member clubs within its region have more than 1,000 members each regional association (by its delegate) will be entitled to one extra vote per 500 extra members or part thereof in excess of 1,000 members and where each region has more than 1,000 competitive swimming members, it will in addition to the foregoing, be entitled to one vote per 500 extra competitive swimming members, or part thereof, per regional association (by its delegate). SCATNZ will be entitled to one vote and if its members exceed 1,000 then one extra vote per 500 extra members or part thereof up to a maximum of 4 votes"

Swimming Auckland/Swimming Canterbury

The President asked Swimming Auckland to speak to its remit. Dominic Toomey gave an overview of the reasons Auckland was proposing the remit. He said that competitive swimmers were key stakeholders therefore needed a voice at board level. He also said that competitive swimmers were the only swimmers to pay membership fees to Swimming New Zealand and that such revenue should be used to increase New Zealand's national athlete talent pool.

Board Director Ross Butler indicated that he thought there was a lack of clarity of the wording therefore room for misinterpretation of the intent. After much discussion, it was suggested that Auckland withdraw the remit and submit a more clearly defined remit to the next AGM, or alternatively to call for a Special General Meeting.

Mr Toomey respectfully withdrew Auckland's remit, stating their intention to revise the wording and resubmit to the next AGM

Remit 6

IT WAS MOVED

"That the board shall comprise of:

- a) Six elected Directors
- b) The elected Directors may appoint up to two appointed Directors on the basis of specific knowledge or skills, for a term no longer than two years. Upon expiry of that term the Board if it thinks fit may reappoint such Directors for a further term
- c) A Swimmers' Representative Director (SRD). This director will be elected for a 12-month term at each AGM. To be eligible for election, the nominee must either be a current NZ representative swimmer or must have represented New Zealand as a swimmer within the five years previous to their appointment. The SRD will be a full director with all the rights of any other member of the board"

Swimming Auckland/Swimming Northland

Discussion:

Mark Saunders on behalf of NZSCAT said that NZSCAT would see the successful implementation of this remit as setting of a precedent, in which case NZSCAT would be seeking a coaching representative on the Swimming New Zealand Board.

Several Directors and regions spoke against this remit, indicating that swimmers had the opportunity to put themselves forward for election to the board as did other nominees, and that the governance of Swimming New Zealand required a particular skill set and that it was best to avoid any conflicts of interest at governance level.

Swimming Manawatu acknowledged that there was a need for a mechanism for athletes' feedback to Swimming New Zealand but that a swimmer on the Board of Directors was not the right avenue for this. The election process was the vehicle for those wishing to sit on the board.

The Swimming New Zealand Board agreed with Swimming Manawatu and said it would follow up the delegates' suggestion in this regard.

The motion was put with 16 for and 19 against

The motion was lost

Remit 7

As Remit 6 was lost, Remit 7 became invalid. Auckland withdrew Remit 7.

10. MOTIONS

Motion 1

IT WAS RESOLVED

"That the 2010/11 Regional Association competitive swimmer affiliation fee be increased to \$30 inclusive of GST"

Swimming Waikato/Swimming Otago

Discussion

Swimming Waikato said the reason for the proposed fee increase was that regional areas were struggling to fund their activities and noted that there had not been a fee increase in the past three years

**The motion was put with 23 for and the following regions against:
Canterbury/West Coast, Manawatu, Bay of Plenty, Counties Manukau
The motion was carried**

Motion 2

IT WAS RESOLVED

"That there is no change to the Results and Awards Levy for the 2009/10 financial year; that is it remains at \$5.50 inclusive of GST"

SNZ Board/Swimming Manawatu

It was noted by the President that Swimming New Zealand would look at proposed changes to the awards programme in the coming year. The President also pointed out that there were far more awards being paid out now than anticipated at the inception of the programme. He said there was a reluctance to change the benefits of the scheme however the cost discrepancy between income from regions and that paid out through the scheme had to be addressed.

11. AWARDS PRESENTATIONS

The President invited Awards' Committee Chair John Mace to present the Swimming New Zealand awards.

The following awards were presented and approved by acclamation:

Life Membership

Enid Wordsworth QSM

Nominated by Swimming Bay of Plenty

Mr Mace requested Enid Wordsworth QSM retire from the meeting and he then read a citation for Life Membership. At the conclusion of reading the citation, Mr Mace requested Enid Wordsworth QSM be asked to return to the meeting, where she received a standing ovation.

Enid Wordsworth QSM thanked the meeting for such an honour.

Service Awards

Debra Mahony, Kevin Duffin, Jane Logan, Sandra Harnett
Nominated by Swimming Counties Manukau
 Bronwen Terese Radford, Stephen Robert Delaney
Nominated by Swimming Bay of Plenty
 David Jack
Nominated by Swimming Auckland

Honours Awards

Geoffrey Lloyd Sibun, Jeannie Ivy Sibun
Nominated by Swimming Counties Manukau
 John G Beaumont
Nominated by Swimming Hawkes Bay Poverty Bay and NZSCAT

The President then read a citation and presented the Jackie Clarke award, which is for the person who has served Swimming New Zealand, a regional association or club, in the area of administration, with distinction during the past financial year.

Jackie Clarke Award

Norman Jeffs
Nominated by Swimming Bay of Plenty

The President then invited Bill Matson to address the meeting. Mr Mace retired from the meeting and in his absence Mr Matson read a Life Member citation to delegates.

At the conclusion of reading the citation, Mr Mace returned to the meeting, where he received a standing ovation. He thanked the meeting for such an honour.

Life Membership

John Mace
Nominated by Swimming Auckland

12. GENERAL BUSINESS

The President called for items of general business.

There were no items of general business.

In concluding the meeting, the President made the following announcements:

- The Governance Committee of Swimming New Zealand had extended the terms of independent Swimming New Zealand Board Directors Ross Butler and Jane Wrightson each for a further two years. He thanked Ross and Jane for their valuable contribution to the board to date and said he was delighted that they had each accepted a further term.
- The President announced that Jan Cameron had been nominated for a Commonwealth Games Association lifetime achievement award, a significant honour for a New Zealander

- The President acknowledged the professionalism and the companionship of Allan Barrett during his time on the Swimming New Zealand Board and said that he would be missed in discussions around the board table.
- The President acknowledged the hard work done on behalf of the Board and Swimming New Zealand by David Jack, who had retired from the Board and was absent due to illness. He had used his considerable skills to guide the Audit Finance and Risk Committee; work which had proudly announced the recovery of Swimming New Zealand's financial position. David too was capable of robust discussion at the Board table and his input and passion would be missed.
- The President thanked delegates for their work throughout the year and asked them to pass Swimming New Zealand's appreciation onto their clubs for their commitment and hard work.
- Finally, the President thanked the chief executive and his team for the outstanding work they do on behalf of Swimming New Zealand, including organising the weekend's events.

There was no further business and the President declared the 119th Swimming New Zealand Annual General Meeting closed at 11.15am.