

# MINUTES OF SWIMMING NELSON MARLBOROUGH INC. 103<sup>RD</sup> ANNUAL GENERAL MEETING

Richmond Town Hall, Cambridge St, Richmond  
Sunday 4 August 2013 11.00 a.m.

## Present:

Steve Fryer	President	Brent Cheyne	NLS
Jim Sinner	Registrar/NLS	Susie Foster	Treasurer/NLS
Margaret Young	NLS	Phil McMath	BSC
Nigel Rukuwai	NLS	Fiona Lulham	NLS
Hamish Neill	NLS	Ivon Clemett	BSC
Sue Malthus	WMA	Andrew McFarlane	BSC
Michelle Cooper	WMA	Trish Weaver	BSC
Tanya Roberts	MOT	Karen Borrell	NEL
Jenny Smith	NEL	Sarah Gibbison	SNZ

*The meeting commenced with a one minute silence for Wendy Fryer.*

## 1) Welcome to Delegates, Roll Call and Notice of Voting Rights

Blenheim	Phil McMath and Trish Weaver	2 votes
Golden Bay	No delegates	-
Kaikoura	No delegates	-
Motueka	Tanya Roberts	2 votes
Murchison	Apology	-
Nayland Park	No delegates	-
Nelson	Karen Borrell	2 votes
Nelson South	Nigel Rukuwai & Fiona Lulham	2 votes
Waimea	Sue Malthus & Michelle Cooper	2 votes

## 2) Apologies and Verification of Proxies

Apologies: Jos Pattison, Lindie Nelson, Murchison Swim Club

Hamish Neill/Phil McMath  
Carried

No Proxies.

## 3) Minutes of the One Hundred and Second Annual General Meeting

**Moved that the minutes of the 102<sup>nd</sup> AGM be confirmed as a true and correct record of the meeting**

Phil McMath/Andrew McFarlane  
Carried

## 4) Matters Arising

There were no matters arising.

## 5) Tabling of Annual Reports and Balance Sheets from Clubs

Reports were received from Murchison SC, Waimea SC, Nelson SC, Motueka SC, Nelson South SC and Blenheim SC.

**Moved that the club reports be accepted**

Hamish Neill/Tanya Roberts  
Carried

## 6) Consideration of SNM Annual Report and Balance Sheet

Susie presented the financial results for the year, noting that we would have just broken even without the benefit of grants received. She also noted the increase in national entry fees due to success of our swimmers, and that expense for this is greater than income due to SNM paying for relay entries.

Susie commented on the balance sheet and the increase due to the small surplus that SNM made during this past year. There are no significant debtors or liabilities. On the Asset Register, there are a number of minor assets that are fully depreciated and will be written off next year.

The Audit Report is attached: it is an unqualified report received from Brown & Associates.

**Moved that the Financial Report be accepted**

Susie Foster/Sue Malthus  
Carried

7) **Election of Board, Life Membership and Awards Committee, other Committees & President**

***Election of Board Members***

Steve noted that a nomination form has been received for Phil McMath and that the following Board members were willing to be nominated for another term: Brent Cheyne, Susie Foster, Jim Sinner, Sue Malthus, Hamish Neill, Stephen Fryer.

**Moved that Phil McMath, Brent Cheyne, Susie Foster, Jim Sinner, Sue Malthus and Stephen Fryer be elected to the Board**

Nigel Rukuwai/Michelle Cooper  
Carried

The Nelson Club indicated that they have a person considering a role on the Board and will advise the Board as soon as possible. Motueka was invited to nominate someone for appointment by the Board at a later date or, if no one is available, to send observers to board meetings whenever possible.

***Election of President***

**Moved that Steve Fryer be elected as President**

Jim Sinner/Phil McMath  
Carried unanimously

***Election of Life Membership and Awards Committee***

**Moved that the existing members of Life Membership and Awards Committee be re-elected: Margaret Young, Ivon Clemett, Jos Pattison and the President of SNM**

Hamish Neill/Karen Borrell  
Carried

***Election of Technical Committee***

**Moved that the existing Technical Committee members be re-elected: Steve Fryer, Ivon Clemett & Andrew McFarlane**

Phil McMath/Tanya Roberts  
Carried

**Moved that Kirsty Rukuwai be elected to the Technical Committee**

Steve Fryer/Ivon Clemett  
Carried

8) **Consideration of Remits**

Three remits had been circulated and were discussed at the meeting.

***# 1 Delete requirement for rotation hosting of SNM Country and Town Meet***

It was noted that the Board still has the ability to offer the meet to any club, and will invite expressions of interest. Waimea and Motueka observed that they want their swimmers to be able to qualify for national meets, so have not wanted to host the meet.

**Moved that Remit #1 (Delete requirements for rotation hosting of SNM Country and Town Meet) be accepted**

Jim Sinner/Tanya Roberts  
Carried

## **# 2 Delete requirement for medals for every event at SNM Country & Town meet**

### *Discussion*

Waimea noted that they would like to see nice ribbons such as those awarded at SI C&T meet. Motueka wants to keep the medals for this meet, even if it requires payment of higher entry fees – their swimmers who won SI C&T ribbons were disappointed not to get a medal.

It was noted that with 100 swimmers at this meet, full medals cost roughly \$20 per swimmer if funding is not received. There was a suggestion that medals could be continued subject to grant funding being obtained.

Steve put the remit to a vote.

**Moved that Remit #2 (Delete requirement for medals for every event at SNM Country and Town Meet) be accepted**

Jim Sinner/Margaret Young  
Carried

## **# 3 Clarify criteria for Swimmers Fund**

### *Discussion*

There was a question as to why we exclude Juniors from funding. Following further discussion, it was noted that NAGs are harder to qualify for than Juniors, and Juniors rate more highly than Div IIs, but that national swim camps rank more highly than Juniors.

**Moved that remit #3 be amended as follows:**

- delete the reference to NZ Juniors in the Remit,
- add NZ Juniors to end of the list of meets eligible for funding (after NZ swim camps),
- add a sentence to SFR 6.1 saying that preference for funding shall be in order of meets and camps listed in SFR 5,
- delete from SFR 6.1 the reference to National Age Groups, and
- make corresponding changes to the application form in SFR 15

Jim Sinner/Tanya Roberts  
Carried

**Moved that the amended remit be accepted**

Margaret Young/Tanya Roberts  
Carried

## **9) Recommendations from the Life Membership and Awards Committee**

Margaret Young noted the lack of nominations from clubs; only two were received.

The Committee, represented by Margaret Young, presented the following:

<b>Recognition</b>	Sarah Woodhouse	Blenheim
	Natalie Brokenshire	Blenheim
<b>Service</b>	Lorraine McMath	Blenheim
	Phil McMath	Blenheim
	Michelle Cooper	Waimea
	Hamish Neill	Nelson South
<b>Honours</b>	Brent Cheyne	Nelson South
<b>Life Membership</b>	Marlene Ingram	Kaikoura
	Stephen Fryer	Nelson South

**Moved that the above recommendations for Honours and Awards be confirmed**

Margaret Young/Ivon Clemett  
Carried

10) **Swimming Nelson Marlborough Affiliation Fees and budget for 2013-2014 Season**

Moved that SNM affiliation fees for competitive swimmers for 2013-14 be set at \$85.00 (inc GST) of which \$50 comprises SNZ affiliation fees.

Steve Fryer/Susie Foster  
Carried

11) **General Business**

• **2012 Olympics**

Moved that SNM congratulates Amaka Gessler of Motueka Swim Club for her outstanding performance at the 2012 Olympic Games, as a member of the Womens 200m Freestyle Relay.

Tanya Roberts/Jim Sinner  
Carried

• **SNM SWIMMERS AWARDS**

**SNM Representative Badges for 2013**

(presented by Susie Foster)

Amy Coulton	Nelson South
Clara Foster	Nelson South
Kirsten Walker	Motueka
Ellie Gaging	Nelson
Rebecca Hull	Blenheim

**SNM Country and Town Representative Badge for 2013**

(presented by Susie Foster)

Bastian Guzinski	Nelson South
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**SNZ National Relay Finalists certificates for 2012-13**

(presented by Brent Cheyne)

**2012 NZ Short Course Championships**

**Women 13-15 200m Medley Regional Relay – 3<sup>rd</sup> place**

Samantha Trevurza	Sara Gane
Rebecca Hull	Ellie Rukuwai

**Women 13-15 200m Freestyle Regional Relay – 10<sup>th</sup> place**

Ellie Rukuwai	Samantha Trevurza
Sara Gane	Rebecca Hull

**2013 NZ Age Group Champs**

**Girls 15 & Under 200m Medley Regional Relay – 7<sup>th</sup> place**

Samantha Trevurza	Sara Gane
Ellie Gaging	Ellie Rukuwai

**Boys 16 & Over 200m Medley Regional Relay – 10<sup>th</sup> place**

Kaiori McGuinniety	William Borrell
Sam McKenzie	Fraser Neill

**Boys 16 & Over 200m Freestyle Regional Relay – 7<sup>th</sup> place**

Kaiori McGuinniety	Sam McKenzie
William Borrell	Fraser Neill

**Belsham Trophy 2012-13**

Samantha Trevurza	Motueka
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- **SNZ Review update and Whole of Sport Plan**

Brent Cheyne read his report on Implementation of the SNZ Review and the Whole of Sport Plan (attached). Hamish Neill thanked Brent for his input to the Review, without which some of these issues would have been overlooked. Stephen Fryer passed on a comment from another region acknowledging Brent's contribution to the SNZ Review.

- **Sarah Gibbison, SNZ**

Sarah introduced herself. Brenda Goulter (former SNZ Swim-safe representative for NM) has resigned and will not be replaced. Sarah will fill this role from Wellington office and is keen to work with clubs.

The SNZ Review recommended that Learn To Swim be separated into a different entity, but this has since been reversed and LTS will remain inside SNZ as a stand-alone unit.

Sarah presented a summary of what SNZ is doing to support LTS programmes, including courses for beginner coaches and the Kiwi SwimSafe programme. She noted that Wellington region made sure that all schools had information on swim clubs in their area. Andrew McFarlane noted that this has not happened in this region. He encouraged Sarah to be pro-active in promoting competitive swimming in schools and swim schools.

Brent noted that SNM supports the SNZ Board decision to keep LTS within SNZ, because LTS is a very important contribution that Swimming makes to the wider community.

Sarah encouraged clubs to contact her if they want any support or information.

- **Other general business**

- Jim noted that SNZ has set up a "Non-Voting Official" category in the database, in addition to "Voting Technical Official". The SNM Board has agreed to reimburse clubs for the cost (\$15/ Voting Official) of registering all Referees and Starters within the region as Voting Officials. Jim will send out a notice about this, including a list of officials to be updated. Hamish noted that the Board also discussed whether to pay registration fees for IOTs who wish to officiate at national meets. It was noted that these persons may approach the Board for reimbursement, which would then be considered.
- Nigel asked that the Belsham Trophy be presented at the SNM Winter Meet next weekend, with the criteria mentioned as well. This was agreed.
- Steve, on behalf of himself and his daughter Alice, announced their intention to establish the Fryer Trophy, in honour of Wendy, to be awarded to the best up and coming swimmer each year. This will be an "investment trophy" with an initial endowment of \$2000, the interest from which will be used to purchase a miniature trophy that swimmers will keep. There will also be a large permanent trophy that will be engraved with the recipients' names. Steve will work with Brent and Jim to develop wording for the trophy that will be presented and confirmed by the Board.
- Margaret Young thanked Steve and Alice for this generous contribution, and for Steve and the Board's efforts during the past year.

**The meeting closed at 13.50**

## Attachment

### 2013 AGM Report on the Implementation of the SNZ Review

It has been just over a year since the SNZ SGM approved the new Swimming New Zealand Constitution. Swimming Nelson Marlborough was one of two regions that did not vote in favour of this Constitution. Rather, we abstained from voting. The reason for this was read out at the SNZ SGM. Essentially, we stated that we did not agree with the process without genuine consultation with members, nor did we agree with a number of provisions in the constitution which included a new Regional Constitution being imposed on clubs as prescribed by Swimming New Zealand.

The Draft Regional Constitution has been presented to regions. SNM have provided two submissions on this draft to SNZ. The first submission is based on the ability to both govern and carry out all operational functions by our Board allowing us to continue to effectively support the sport. The second submission was in regard to the minimum of 50 members for a club. Although this issue was not covered in our first submission, SNM has led the campaign to prevent a minimum membership requirement being applied to existing clubs. This has involved discussion with SNZ, other regions, and the utilisation of the Regional Chairs' Teleconference process to push this issue.

After the last teleconference where we started getting support from other regions, the SNZ Chair, Brent Leighton, reported that he would be recommending to the SNZ board that the minimum requirement should not apply to existing clubs.

#### **Current Position**

The SNZ Board has received many submissions on the Draft Regional Constitution and will be reviewing these at their next meeting on 21 August 2013 before issuing the updated version.

#### **Where to for Swimming Nelson Marlborough?**

We will await the next version of the Regional Constitution and, if necessary, give relevant feedback to SNZ.

The SNM Board will ensure that it can function within the new parameters thereby enabling the board to continue to support the sport in this region as it has been. We have had great success in this region over the last few years due to the phenomenal work of Clubs, Coaches and the Regional Board. This delivery from the Region will not diminish. Our Regional Board will be asked to undertake additional functions under the new constitution. If the areas raised in our first submission are not addressed, then our Board member numbers would not only be reduced, but would also not allow the inclusion of any club committee member on our Board. This will not be helpful, given the additional functions our Board will be asked to undertake and belies our strong values of transparency with our clubs. These points, and others, will all be discussed in detail at our future regional SGM when the final form is presented for voting on by our clubs.

#### **Whole of Sport Plan**

With the new Constitutions giving more power to SNZ, and at the same time imposing more work on regional boards, it is imperative that our region has a strong voice in the Whole of Sport Plan discussions. In this regard, our region has already sent an email containing what we believe are key issues for the Whole of Sport Plan to SNZ and all regions. We received a positive reply from SNZ, but no response from any region.

## **Strategic and Long Term Plan**

Once the new Regional Constitution is in place and the Whole of Sport Plan has been determined the NM Board will need to undertake long term planning to determine:

1. Vision
2. Objectives
3. SWOT
4. Major Goals
5. Culture
6. Future Board makeup/ Portfolios/Subcommittees

I strongly believe that the current board is well placed to complete this plan to build a foundation to move the sport forward in Nelson Marlborough.

## **APPENDIX ONE**

### **SNM Submission on draft Regional Constitution**

Swimming Nelson Marlborough appreciates this opportunity to comment on the Draft Regional Constitution, and the consideration this submission will be given.

Our submission begins with general comments, and then sets out specific issues that we would ask Swimming New Zealand to consider.

#### **General Comments**

A number of areas in the draft constitution do not give adequate consideration to the fact that regions, particularly the smaller regions, have fewer resources in both volunteers and funding than Swimming New Zealand. Regions do not receive funding from Sport New Zealand. Few have paid employees; most rely totally on volunteers with the work being undertaken by board members and the committed few on club committees. Most regions do not have the luxury of being able to separate governance from operational functions. At the present time, it is difficult enough for clubs to find a full complement of volunteers for their committees and representatives for our regional board without there being a restriction on the overlapping membership of the two. We believe that provisions in the draft constitution are going to make the task of leading the sport of swimming in the regions an increasingly onerous one for the members who are already totally committed to the sport.

As transparency and inclusiveness are values we hold in our region, most clubs have a representative on the board and most of these are club committee members. Our board minutes are distributed to all clubs in our region and posted on our website, but the most effective communication between the region and clubs is achieved by having board members who are also on club committees. Potential conflicts of interest arise only infrequently, and do not inhibit our effective operation. Our clubs value the fact that they have a voice on the regional board, which ensures that the board does not get out of touch with the needs of our member clubs and swimmers.

#### **Specific Issues**

Our region currently has 10 board members, which is the maximum allowed under our current constitution. As our board performs all governance and operational functions in our region, tasks are assigned based on the strengths of each board member, all of whom are 100% committed and dedicated to our sport. Historically we know that to limit our board members to six will place a very

heavy workload on the few, and some of the current valuable skills will be lost, ergo, we will simply not be in a position to deliver to our swimmers the same services as at present, let alone contend with the extra functions being placed on the region by the draft constitution and the Whole of Sport Plan.

**We ask that SNZ re-consider the limit of 6 board members and allow regional boards to comprise between 6 and 10 board members.**

**We ask that SNZ remove the provision that club committee members are not eligible for election to the regional board (in clause 8.2.b, delete the words “or a Member Club”).**

If SNZ considers it appropriate, another clause could be added stating that Board members shall declare any conflict of interest (including matters affecting their club more than other clubs) on any issue before the board and refrain from voting on such matters. This is of course a matter of good governance regardless of whether it is stated in the constitution, but adding an explicit clause might make it more acceptable to have club committee members on regional boards.

Our region would like to query why a club can only nominate 1 person for the board at an AGM. We consider that the best candidates should be put forward regardless of who is nominating them. We would also query whether it is practical to allow clubs only 1 vote when voting for 2 or more board vacancies. This could result in elections with most candidates receiving one vote.

**We suggest that**

- **clause 8.6.a be amended so that a club may nominate a number of candidates equal to the number of vacancies, and**
- **clause 8.4 be amended to state that, for election of board members, each club shall have a number of votes equal to the number of vacancies, and that votes of all clubs shall have equal strength.**

**Drafting issues**

We believe that the wording in clause 10.2 is incorrect. The word “announcement” should be replaced by the word “election”.

The draft constitution is not clear whether a casual vacancy on the board (appointments to which must end at the next AGM) constitutes one of the two positions to be filled at the AGM. The current wording suggests that such a vacancy would be additional to the two board members standing down under 8.7.d. This would mean that three or more positions on the board could be up for election at an AGM. It would be helpful if the intent were clarified.

## **APPENDIX TWO**

### **Additional Submission on the Draft Regional Constitution**

#### **Presented by Swimming Nelson Marlborough**

Our region wishes to raise another point that we believe is of such significance that, if not addressed, will result in the failure of our clubs to accept the new Regional Constitution. We believe that the Draft Regional Constitution in its current form would mean that **ALL** clubs in our region would cease to be member clubs.

Clause 6 of the Draft Regional Constitution defines a member club as follows:

6.1 A Member Club is a swimming club in the Region for Swimming XYZ, which:

a. is a member of Swimming NZ

This sub clause needs to be read in conjunction with the SNZ Constitution, a fact some regions may not have realised!

The SNZ Constitution at clause 9.1 (b) states

A member club is a club operating within a region which satisfies all minimum defined criteria set by SNZ and/or its regional association **including having a minimum of 50 members and participants in the database.....**

**This means that if the Regional Constitution is accepted, then NO club can exist with less than 50 members.** This would mean that we wouldn't have any clubs in our region.

Swimming Nelson Marlborough raised this issue during the consultation stage of the draft SNZ Constitution and obtained a verbal assurance from Sue Suckling that current clubs would not have to comply with this provision. Chris Moller also took note of this and realised that the SNZ Constitution needed amending in a number of areas when he sent the email below to all regions on 30 July 2012:

*To all Regional Chairs and Regions*

*"As Chairman of the Working Group and on behalf of Sue Suckling as the Governance Administrator, I confirm that both of us will recommend to the incoming Board (not the Governance Administrator) that the new Board should convene a Working Party drawn from SNZ and with representation from Regions to review the Constitution that was adopted at the SGM on Saturday 28 July with a view to considering further changes to the Constitution as considered appropriate by the members of that Working Party."*

*C J D Moller*

Our region did not vote in favour of the new SNZ Constitution for a number of reasons, including the impact of the clause on the minimum membership of 50 members per club. Our clubs could not allow this and so as a region, representing our clubs, we could not vote for it. We were given some comfort on this point by Sue Suckling's assurance that this would not apply to existing clubs.

The new SNZ Board have not implemented the working group, as recommended by Chris Moller, and they have not altered the constitutions based on the assurances provided by Sue Suckling. Neither the SNZ Constitution nor the Draft Regional Constitution makes any allowance for existing clubs. Had the working group been established, this and many of the other issues raised in our previous submission last week would have been addressed.

We believe that the SNZ Board must address this with all regions if they truly desire a Culture of Trust which was one of the main recommendations of the review. Not only does the situation need to be resolved, but we also believe that a number of regions may not have contemplated that their clubs have a major issue.

**Our region requests that both the SNZ Constitution and the Draft Regional Constitution be amended and state that all existing clubs can remain as member clubs until their winding up or removal (for other constitutional reasons). We also request that the definition of ‘Member Club’ in the minimum requirement provisions be confirmed as any category of member entered on the SNZ database and that this is not limited to the competitive swimmer.**

**We strongly believe that no club in our region could vote in favour of the Draft Regional Constitution as it currently stands as they will have less than 50 members, or they will not want to see other clubs decimated in our region. Simply put: They will not vote to put their clubs out of business.**

**Our region would like this resolved, as well as the other points we have raised in our earlier submission last week addressed, so that we can see the Regional Constitution adopted and the sport can move forward positively under the spirit of the review findings.**

## **APPENDIX THREE**

Swimming Nelson Marlborough believes that the Whole of Sport Plan is critical to the future of our sport. We have forwarded to Christian our submission on the process for this. Our board has given a lot of consideration on possible content of the plan and would like to share some of our ideas with other regions (attached)

We look forward to working with SNZ, other regions and stakeholders to ensure that the Whole of Sport Plan is an excellent foundation for the sport to move forward.

We would welcome any comment from other regions.

### **Swimming Nelson Marlborough**

#### **Our view on the Whole of Sport Plan that we are happy to share with all regions.**

**a. The Whole of sport plan is significant for the following reasons:**

1. This is the plan that will be the foundation for the sport to grow and develop at all levels and should be owned by all stakeholders (the sport itself).
2. Regions should have an ongoing input into this plan which should be a living document.
3. The WOSP may be a significant document when it comes to funding requirements for the sport particularly at Regional and Club level.
4. The Draft Regional Constitution states that regions shall:
  - a. Act consistently with the whole of sport plan(5.2b)
  - b. Play an active part in securing funding for the sport and comply with the Sport funding strategy(5.2(f))
  - c. Implement the whole of sport plan in its region (9.2a)
  - d. Monitor and review performance against the whole of sport plan(9.2b)
  - e. Review annual KPI's and be accountable to SNZ for achieving them(9.2i) the basis of which will probably flow directly from the WOSP.

- b. Our region has given consideration to the content that we would like to see included in the Whole of Sport Plan. Our views are covered under the following five points:**
- i. The term “whole of sport” needs to be defined to include the sport at all levels from junior squads up to the Aqua Blacks and covering all of New Zealand. The main point being that the plan must support and be able to be implemented by every region and club in New Zealand.
  - ii. It is essential that the Whole of Sport Plan sets out clear pathways and support mechanisms for swimmers, coaches, officials and administrators at all levels and how these will be funded. This should set out what initiatives SNZ will look to undertake at regional and club level. This is critical if the **sport** is going to be lifted to higher levels.
  - iii. The WOSP should be clear about the roles and responsibilities of SNZ, the regions, and the clubs. This is especially important as the new Regional Constitution will require regions to comply with the WOSP.
  - iv. The clarification of roles and responsibilities will also assist in determining the funding requirements of each of the parties responsible for delivering the sport to members and should form the basis of the Sport Funding Strategy. Regions will need support under the Sport Funding Strategy in order to have any chance of fulfilling the additional responsibilities they will be asked to undertake under the Regional Constitution and Whole of Sport Plan. There is a risk that the WOSP will include “unfunded mandates” which are therefore unachievable. Regions will then be in breach of their obligations and be subject to sanction by SNZ. It would be good to obtain comment from Sport New Zealand on whether they will be supplying funding that will flow down to the regions to support increased participation as well as path ways that will reach down to club level as mentioned in (ii) above.
  - v. The Regional constitution requires that the WOSP is binding on regions (as above) and they will be accountable to SNZ for their performance. The WOSP is also constitutionally binding on the national body. These accountabilities should be reiterated in the WOSP Document.
- c. Our region welcomes comments from other regions on their views regarding the Whole of Sport Plan. We understand the importance of this document and look forward to a plan that the whole sport can have ownership in and work with to achieve its objectives.**