

MINUTES

of the Special General Meeting of the Auckland Swimming Association
held on Thursday 12th July 2011, 7.30pm
at Sports House, Sport North Harbour, Stadium Drive, Albany

1. WELCOME

- 1.1. The meeting opened at 7.35pm, conducted by David Jack, the President of Auckland Swimming.

2. ROLL CALL

- 2.1. By way of Roll Call, the President requested each person in attendance to introduce themselves. The formal roll call of delegates and attendee's was recorded below as taken from sign-in sheets on entry and was noted as being recorded.

2.2. Delegates:

Club Delegates as notified to the ASA Executive Officer in advance:

Lianne Williams (*Laser Mt Eden*), Jim Swanson (*Laser Mt Eden*), Jane Hanley (*Mt Wellington*), David Abernethy (*Mt Wellington*), Malcolm Donaldson (*North Shore*), Trudy Wotherspoon (*North Shore*), Mike Kinney (*North Shore*), Fiona Wilson (*Parnell*), Reagan Radford (*Parnell*), Tim Wadley (*Roskill*), Paul Kent (*Roskill*), Brian Tong (*United*), Suzanne Speer (*United*), Karen Woodgate (*Waterhole*), Tony Cooper (*Waterhole*), Gwen Ryan (*Waterhole*), Stephanie Pilling (*Waitakere*), Juanita Logan (*Waitakere*), Stephen Pye (*West Auckland*), Earl Duthie (*West Auckland*), Willem Coetzee (*Coast*), Jane Placiak (*Coast*).

This represents a total of 23 eligible delegates with the quorum being established as 12 attendees.

The attendance register included the following from amongst the delegates:

Lianne Williams (*Laser Mt Eden*), Jim Swanson (*Laser Mt Eden*), Malcolm Donaldson (*North Shore*), Trudy Wotherspoon (*North Shore*), Mike Kinney (*North Shore*), Fiona Wilson (*Parnell*), Reagan Radford (*Parnell*), Brian Tong (*United*), Suzanne Speer (*United*), Karen Woodgate (*Waterhole*), Gwen Ryan (*Waterhole*), Stephanie Pilling (*Waitakere*), Willem Coetzee (*Coast*), Jane Placiak (*Coast*)

2.3. Proxies

In addition proxies were provided and recorded as follows:

Jane Hanley (*in favour of Max Walker*), Tony Cooper (*in favour of Karen Woodgate*), Juanita Logan (*in favour of Stephanie Pilling*), Earl Duthie (*in favour of Suzanne Speer*), Stephen Pye (*in favour of Suzanne Speer*)

The quorum was therefore established on the basis of 14 delegates in attendance with 5 proxies.

2.4. General Attendance

The following were also in attendance:

Teresa Stanley (*ASA Board, North Shore*), David Jack (*ASA President*), Max Walker (*Mt Wellington*), Cameron Gibson (*ASA Board, United*), Brian Palmer (*ASA Executive Officer*)

2.5. Apologies:

Claudia Hill (*ASA Board Member*)

3. BUSINESS

3.1. The President introduced the business of the meeting.

3.2. Motion 1

Teresa Stanley on behalf of the ASA Board provided background as to why the SGM was called and the reason for this motion (and Motion 2) being put. Principally, the ASA Board felt it prudent to delay the AGM until after the outcome of the SNZ SGM (scheduled for July 28th) was known as it was anticipated that this SGM would impact on the potential business to be carried at the ASA AGM.

The motion as recorded is:

"That consent be granted by the delegates to defer the ASA AGM to a date to be confirmed, but following the SNZ SGM which is scheduled to be held on July 28th, 2012. When the outcome of that meeting is known, due notice of a re-scheduled ASA AGM will be issued on a suitable date to be scheduled by the ASA Board."

Moved: Willem Coetzee

Second: Jim Swanson

Carried: by voice vote in the affirmative

3.3. Motion 2

The motion as recorded is:

"Existing ASA office holders, as presently constituted, will have their term of office extended on a transitional basis until the rescheduled AGM is held."

Moved: Max Walker

Second: Karen Woodgate

Carried: by voice vote in the affirmative

4. The SGM was closed at 7:55 pm.

5. FURTHER MEETING

5.1. Upon closing of the SGM and in accordance with the Notice of Meeting a further meeting was opened to provide attendees the opportunity to discuss

the proposed business of the forthcoming SNZ SGM, their club responses thereto, and any further input which may be appropriate.

- 5.2. Various Comments relating to the issues and the draft constitution as proposed were heard from attendees. These included (by way of brief summary):
- 5.3. *Suzanne Speer*, "The proposed constitution is very complex."
- 5.4. *Jane Placiak*. Noted that she is a lawyer (property). This is a very complex document and to provide what would be effectively 5 days for consideration of a document of this nature is extremely fast especially for a vote of this nature.
- 5.5. *Suzanne Speer*. We have only been given a proposed draft of the SNZ Constitution. As yet we have not received the proposed regional constitution to which the SNZ Constitution refers and which the regions will be obliged to adopt if the draft as presented is adopted. We also have not received and proposed regulations nor the SNZ Funding Strategy document which is referenced in the Draft Constitution and which the regions and clubs will be required to adhere to.
- 5.6. *Lianne Williams*. Noted that while she is here as the President of LME, she is also a lawyer with constitutional specialty. She noted that this draft is 'mechanically flawed'. It provides no, or limited, remedies and involves a change of balance to the backbone of the structure which requires consultation.
- 5.7. (Unknown) Feel as though we are being strong-armed.
- 5.8. (Unknown) What is the process from here?
- 5.9. *Max Walker*. Concerns about coaches as paid employees having voting rights and believes this could be against the requirements of the Incorporated Societies Act. Also concerned about the application of voting rights. Also has concerns about the charging of technical Officials for membership and believes that this will lead to people not wishing to put themselves forward to be technical officials.
- 5.10. *David Jack*. Based on his extensive experience relating to issues that were contentious over the and involved much effort to get 'right' he feels concern about possible deficiencies in the following areas: Transfers, Service Awards Committee, Regulations (or lack of as presented), Competition Zones, Lack of clarity in terms of visitors and international competition, together with the possibility for example (because this too is not defined) of the possibility of visitors becoming eligible for National and Regional records. Note was made that there is no (or little?) provision within the appeal process to cover the normal range of events such as carding, athlete discipline etc.

6. General Question:

- 6.1. Based on what has been seen in this document, would the attending clubs consider that the powers (normal) they have granted to the ASA Board would extend to the ASA Board having the power to act and thus bind its clubs without a particular and specific mandate?

Answer: Not really.

- 6.2. After a general discussion as noted above which was constructive and engaged in its tone the President suggested that we seek to establish some motions to reflect the mood of the meeting. To this end two motions were prepared and voted upon.

6.3. Motion 1

“The delegates of the ASA endorse the ASA Board’s support for the findings and the 21 recommendations of the 'Moller Report’”.

Moved: Jim Swanson

Second: Max Walker

Carried: Unanimously by voice vote.

6.4. Motion 2

“The Club Delegates authorise the ASA Board to express the concerns which exist about:

- 1. The Draft Constitution*
- 2. The lack of a consultative process*

and to seek suitable remedies to the present (SNZ SGM) motion combining acceptance of the Moller recommendations with the repeal of the existing SNZ Constitution and the adoption the (Draft) Constitution.”

Moved: Willem Coetzee

Second: Gwen Ryan

Carried: By voice, but with the requested note from the NSS delegates to be recorded. The NSS delegates have abstained with the proviso that they will revert with their vote for the record following their board meeting which is to held Monday 16th July. 

- 6.5. The meeting agreed that every effort should be made for a further meeting be facilitated once the action requested in Motion 2 has been responded to in order that the delegates can make further input.

7. The further meeting closed at 8:55 pm.

Signed as a true and correct record of the meeting

Date: