

AGENDA

1. Acknowledgement of the Traditional Owners

“The Curtin Student Guild would like to pay our respect to the Aboriginal and Torres Strait Islander members of our community by acknowledging the traditional owners of the land on which the Bentley Campus is located, the Wadjuk people of the Nyungar Nation; and on our Kalgoorlie Campus, the Wongutha people of the North-Eastern Goldfields. We acknowledge and respect their continuing culture and the contribution they make to the life of this university, city and this region.”

2. Attendance

- 2.1. Members Present; Bridge Truell (online) Lachlan Lee (online) Min Dee Chia (online) Jesse Naylor Zambrano, Dylan Botica, Luke Brosnan, Jason Kim (online), Clare Metcalf, Lucy Rohl, Fatma Sehic, Rachel Taylor, Robert Vusak
- 2.2. Others Present; David Luketina (Managing Director), Madison Ainsworth, Ben Adams (Minute Secretary)
- 2.3. Apologies and Leave of Absence; Shannon Chong
- 2.4. Absent; Chris Grant, Harry Brooking

3. Disclosure of any potential or perceived Conflicts of Interest

It was noted that Chris Grant had resigned.

It was noted that Luke Brosnan, Rachel Taylor, Dylan Botica, Jason Kim and Robert Vusak had a conflict with item 8.6 as they are Club Committee members.

Jesse Naylor Zambrano noted a conflict with item 8.1. Dylan Botica noted a conflict with item 8.3

Fatma Sehic and Jesse Naylor Zambrano noted conflicts with item 8.9.

Dylan Botica commented he would not vote on item 8.3 the finance and risk committee constitution amendments.

David Luketina added he needed to leave during the item concerning the managing director.

Motion: That the Guild Council agrees that Club Committee Members present can vote and discuss on motion 8.6

Moved: Clare Metcalf

Seconded: Fatma Sehic (Secretary)
Carried

4. Minutes of the Previous Meeting
4.1. Previous Meeting Minutes

Motion: That the Guild Council approves the minutes of the previous meeting held on the 24/06/2021, as a true and accurate record of proceedings at that meeting.

Moved: Fatma Sehic (Secretary)
Seconded: Rachel Taylor
Carried.

4.2. Circular Resolutions - #2/2021 (passed)

Motion: That the Guild Council appoints Jesse Naylor Zambrano as the Chair of the Remuneration Tribunal 2021.

Lucy Rohl called the motion out of order due to the motion not achieving a majority of votes – due to the Chair not being able to vote and Jesse Naylor Zambrano's vote being invalid due to having a conflict of interest.

Motion: Dissent in the chair
Moved: Fatma Sehic (Secretary)

Dylan Botica took the Chair.

Alternative ruling: Fatma Sehic stated the Circular Resolution should not be ruled out of order. The first ground being that the limitation on the Chair being able to vote relates to meetings rather than circular resolutions. The second ground being that Jesse Naylor Zambrano did not have a conflict of interest as there was no benefit to Jesse from being appointed as Chair of the Remuneration Tribunal.

Dylan Botica clarified the conflict of interest by-laws.

Fatma Sehic stated that Dylan Botica had quoted the by-laws incorrectly.

Lucy Rohl replied to Fatma Sehic – referring to by-laws section 16.3. Lucy stated that she did have a casting vote under the Guild by-laws.

Motion: That the Alternative Ruling should apply.
Jason Kim requested secret ballot. There was majority agreement to a secret ballot,
Motion Failed.
Chair ruling as stands.

Motion: That the Guild Council suspends standing orders 12.2 and 15.7
Moved: Clare Metcalf
Second: Luke Brosnan
Carried.

Clare Metcalf noted the intention to suspend the standing orders was until Jesse Naylor Zambrano's was officially appointed as Chair of the Remuneration Tribunal.

Clare Metcalf spoke to this motion. Explained that as the appointment process had already begun, the Guild Council should appoint Jesse Naylor Zambrano in the Guild Council meeting.

Dylan Botica clarified whether discussion on Jesse Naylor Zambrano's appointment should be in-camera.

Procedural Motion: Move in-camera for discussion of Jesse Naylor Zambrano's appointment.

Moved: Dylan

Carried.

Motion: That the Guild Council appoints Jesse Naylor Zambrano as the Chair of the Remuneration Tribunal 2021.

In-camera: 6:30pm

Recording recommences: 6:40pm

Moved: Clare Metcalf

Seconded: Luke Brosnan

Carried.

5. Matters Arising from the Minutes

None noted.

6. Reports

6.1. President – Submitted. Jesse Naylor Zambrano had nothing to add.

Dylan Botica asked if any amount of the SSAF was used in any way for the Edcon event.

David Luketina commented that the event was not specifically acquitted against SSAF.

6.2. Vice President – Education – Not Submitted

Bridge Truell provided a brief verbal report.

No questions for Bridge Truell.

6.3. Vice President – Activities – Submitted

As tabled.

Jason Kim asked what the CCSAG meeting means.

Lachlan Lee answered, stating it was a meeting with the partners around Curtin to discuss general safety of the surrounding environment.

6.4. Secretary – Submitted

Fatma Sehic left meeting at 6:40pm
No questions for Fatma Sehic

6.5. Managing Director – Excluded for confidentiality reasons.

David commented that the returning officer had confirmed the two polling booths on campus. Facilitated postal voting was being organised for the CBD, Midland and Kalgoorlie campuses.

Dylan Botica asked David Luketina if there were any additional meeting rooms for clubs that did not require the booking system.

David Luketina answered - Club HQ, The Retreat (the meeting room between Club HQ and the equity area), meeting room behind reception and waiting for a lock change from Curtin to access the STA Travel space.

Motion: That the Guild Council approves the reports.

Moved: Fatma Sehic (Secretary) absent, Clare Metcalf
Seconded: Rachel Taylor
Carried.

7. Safety Report

Action: That the Guild Council discusses the Safety Report.

David Luketina spoke to the report: He explained the new safety act had increased obligations for directors and if a matter of safety arose then there needed to be an active involvement from directors – ie members of Guild Council.

David concluded by explaining that safety issues has shifted out of his report so that it has a greater focus and involves everyone in Guild Council.

It was noted that the safety legislation was state legislation.

Dylan Botica asked if the safety legislation increased the Guild's liabilities. David answered there was greater responsibility and penalties.

David added that he would meet with portfolio managers to review their duties and responsibilities regarding safety.

Motion: That the Guild Council notes the Safety Report.

Moved: Fatma Sehic (absent) Clare Metcalf
Seconded: Rachel Taylor
Carried.

8. Business on Notice

8.1. Appointing Negotiator for Managing Director Contract Terms

Motion: That the Guild Council authorises Jesse Naylor Zambrano, the 2021 Guild President, to negotiate the terms of reappointment with the Managing Director David Luketina.

Rachel Taylor asked to move in camera for item 8.1. Clare Metcalf asked Jesse to speak to item 8.1 before moving in-camera.

Jesse Naylor Zambrano asked for clarity on why she has been asked to leave the room for this item.

Lucy Rohl stated that the item discussed the terms to reappoint Jesse.

Dylan Botica asked to consider en bloc for item 8.1 and 8.2. Dylan suggested Jesse leave for item 8.1 and stay for item 8.2.

Procedural Motion: To move in-camera

Moved: Rachel Taylor

Carried.

Jesse Naylor Zambrano and David Luketina left the room 6:52pm

In-Camera. 6:52pm

Recording recommences 7:02pm

Moved: Fatma Sehic (absent) Luke Brosnan

Seconded: Dylan Botica

Carried.

8.2. Guild Council Guidelines for Managing Director Negotiation

In-Camera

Motion: That the Guild Council approves the proposed guidelines for the individual negotiating the terms of employment for the Managing Director's new contract.

Moved: Fatma Sehic (absent) Jesse Naylor Zambrano

Seconded: Clare Metcalf

Carried.

8.3. Finance and Risk Committee Constitution

Motion: That the Guild Council, on the recommendation of Legal Committee, approves the following amendments to the Finance and Risk Committee Constitution.

Moved: Fatma Sehic (Absent) Rachel Taylor

Seconded: Jesse Naylor Zambrano

Carried.

Dylan Botica asked if he needed to leave for the discussion of item 8.3 as he had a conflict of interest with this item.

Dylan left the room 7:05pm

Clare Metcalf stated they were not in favor of change. Clare commented that the Chair of Representation Board had no power to accept payments and concluded that there was no conflict of interest with this item.

David Luketina added that both authority and influence in financial decisions were of relevance in determining if there is a conflict of interest with being a member of the Finance and Risk committee.

Rachel Taylor noted that anyone who sat on Guild council had the potential to persuade executive financial decisions. Rachel concluded that Dylan did not have any more influence than Guild Council members or Ordinary Reps members.

Jesse Naylor Zambrano disagreed with Rachel's statement: She commented that members of executive had a better understanding of the general Guild therefore, allowing more contribution to higher decision making.

Dylan re-entered the room 7:09pm

Dylan Botica announced that was resigning from his position on the Finance and Risk Committee.

Lucy Rohl added that there was now an open position within the Finance and Risk Committee.

8.4. Commercial Operations Committee Constitution

David Luketina left the room at 7:10pm

Motion: That the Guild Council, on recommendation of the Legal Committee, approves the Managing Director to be added as a standing invite in the Commercial Operations Committee constitution.

Moved: Fatma Sehic (absent) Clare Metcalf
Seconded: Jesse Naylor Zambrano
Carried.

David Luketina re-entered the room at 7:12pm

8.5. Delegations

8.5.1. Alteration of Delegated Power 8.18

Moved: Clare Metcalf
Seconded: Dylan Botica
Carried.

8.5.2. Further delegation of Delegated Power 8.20
Moved: Clare Metcalf
Seconded: Dylan Botica
Carried.

Luke Brosnan left the room 7:21pm
Luke re-entered the room 7:27pm

8.5.3. Alteration of Delegated Power 8.23
Moved: Clare Metcalf
Seconded: Dylan Botica
Carried

Motion: That the Guild Council approves the changes to delegations en bloc.

Moved: Clare Metcalf
Seconded: Dylan Botica
Did not pass en bloc.

Dylan Botica spoke to the motion, clarified the following delegations were awaiting consultation with key members of staff.

Jesse Naylor Zambrano requested to hear a blurb of each delegated power as they were regarding Guild Council. Clare Metcalf declined Jesse's request as they were outlined in the Agenda.

David Luketina added background on the delegated powers: He stated that being kicked out of a club is a complex matter, and typically Guild staff are asked to support and create a solution. He asked Guild Council to consider that resolving clubs matters can be complex and long processes.

Dylan Botica commented that David's point was relevant for appeals. He added that Guild Council had not had an appeal for position of VPA in at least ten years.

David Luketina confirmed Dylan's point. Stated there had been a verbal appeal but not a formal appeal.

Dylan Botica mentioned that revoking a delegation requires an absolute majority.

The alterations of delegated powers were considered and carried individually as they were not passed en bloc.

8.6. Alterations to TidyHQ Regulations

Motion: That Guild Council makes TidyHQ non-mandatory for clubs.

Moved: Rachel Taylor
Seconded: Luke Brosnan

Rachel Taylor proposed that TidyHQ should not be mandatory for clubs as it had not been tested and there was no suitable knowledge to understand how it worked.

Luke Brosnan clarified that he was not against TidyHQ as a platform, but that some clubs were established enough and the value of TidyHQ could be limited.

Dylan Botica replied that TidyHQ delivered a benefit to the Guild when clubs were mandated to use it. Added that the Guild lost all oversight of clubs information if clubs could withdraw from TidyHQ. Dylan continued that it was not mandatory for Clubs to conduct all merchandising business through TidyHQ. He restated that TidyHQ should remain mandatory for governance and administrative purposes. Dylan preferred that clubs had the ability to source lower cost merchandising alternatives. He would rather have the Guild provide grants to cover these costs rather than TidyHQ be watered down.

Lachlan Lee stated that the current club's system did not functionally work. He wanted clubs to move through the registration/renewal process faster. Lachlan stated that he and Bec had discussed covering the costs of the TidyHQ processing fee. He requested that the motion be delayed until TidyHQ's performance was evaluated.

Jason Kim added that the Club processing time was extensive and that clubs needed oversight. Jason put forward an amended motion.

Amended Motion. That the Guild Council makes TidyHQ non-mandatory for club's operational usage but remain mandatory for the storage of information required to renew clubs when club renewals are due (i.e.: post AGM).

Amenable: Rachel Taylor
Amenable: Luke Brosnan

Dylan Botica commented that feedback from students recommended there needed to be uniform club communications.

Luke Brosnan recommended an end of semester report rather than an end of year report. In order to keep the treasurer and committee on top of everything.

Lachlan Lee explained his concern with the amended motion, stated if TidyHQ was only mandatory for some information it would not be kept up to date by clubs. Lachlan responded to Luke, said the semester report idea would be too much work for the allocated time. He concluded that newer clubs had difficulty in finding resources and support and a lack of a handover would ruin a new club.

Rachel Taylor addressed Dylan's point about uniform club communications. Stated there were enough resources for clubs to use, that it was a club's responsibility to access these resources. Rachel added that there would be a scramble to formulate a report regardless whether it was each semester or at the end of the year. She concluded by suggesting that the end of semester report be a brief overview rather than a detailed report.

Jesse Taylor Zambrano stated that from the perspective of different areas, there was no uniformity for club information. Added it was harder for new clubs to become established. Jesse didn't believe this motion should pass even with the amendment.

Lachlan Lee responded to Jesse saying the Guild website offered lots of club information. TinyHQ would be a landing uniform space for clubs and that it would tidy up the noise of the Guild website.

Jason Kim commented that TidyHQ created extra operational work for clubs. He felt that a digital one-stop shop for Clubs would discourage the use of Club vouchers.

Dylan Botica replied to Jason saying that for the sign-up process of a majority of clubs, the current system did not work.

Amended Motion. That the Guild Council makes TidyHQ non-mandatory for club's operational usage but remain mandatory for the storage of information required to renew clubs when club renewals are due (i.e.: post AGM). Until 2022

Amenable: Rachel Taylor
Amenable: Luke Brosnan

Luke Brosnan questioned what else TidyHQ would be good for other than governance. Luke responded to Lachlan's comment about clubs not keeping information up to date, stating the comment as speculation. Luke believed using TidyHQ for governance was good but should not be necessary for operational usage.

Lachlan Lee commented that he was hoping that use of TidyHQ would allow discontinuation of physical club vouchers.

Jason Kim stated that from a club's perspective the pressure and responsibilities that would arise from TidyHQ would lie with the clubs.

Rachel Taylor explained that an unknown club was in the process of organising a petition to remove TidyHQ.

Amended Motion. That the Guild Council makes TidyHQ non-mandatory for club's operational usage but remain mandatory for the storage of information required to renew clubs when club renewals are due (i.e.: post AGM) until 2023 when Guild Council reviews its mandatory status.

Moved: Rachel Taylor
Seconded: Luke Brosnan
Carried.

10 Minute Break at 7:49pm
Resumed at 8:02pm

8.7. Referendum on the National Union of Students (NUS)

Motion: That the Guild Council upon the recommendation of the Representation Board hold a referendum to run concurrently with the Annual Elections.

The proposition being: "That the Curtin Student Guild leave the National Union of Students for 2022".

That the Guild Council appoint agents for the 'Yes' and 'No' campaigns with preference given to members of the Representation Board.

Moved: Fatma Sehic (absent) Rachel Taylor

Seconded: Jesse Naylor Zambrano

Jesse Naylor Zambrano spoke to this motion stating that she wanted council to consider the costs and operations that would be associated with the yes and no campaigns. Asked Guild Council to consider whether this motion was necessary.

Robert Vusak restated Jesse's point, explaining that the motion seemed inappropriate as it would involve extra costs and operational efforts. Added that the referendum would result in an obvious result, believing students would want to stay associated with the NUS.

Dylan Botica asked David Luketina what extra costs will be involved by including the 'Yes' or 'No' question on electronic ballot.

David Luketina responded that he thought that the additional cost would be in the vicinity of \$1000.

Dylan Botica leaves the room at 8:06

Dylan Botica returns at 8:08

Robert Vusak asked if the wording of the motion should mention the costs of appointing agents.

David Luketina replied to Robert saying it would be dependent on who the agents were.

Dylan Botica explained that the referendum wouldn't be of great cost to students or the Guild. Referenced the history of student referendums concurrent with elections as a means to get the perspective of students. He added that students should be able to make an informed decision.

Rachel Taylor explained that preference should be given to the Representation Board or Guild Council to occupy the role of referendum agents.

Jessie Naylor Zambrano highlighted that the affiliation money given to the NUS was not funded by the SSAF.

There was general discussion about the value of holding a referendum and the issue of disaffiliation from the NUS.

Moved: Fatma Sehic (absent) Rachel Taylor

Seconded: Jesse Naylor Zambrano

Dylan Botica requested to record votes for and against

For: Clare Metcalf, Dylan Botica, Rachel Taylor, Jason Kim, Min Dee Chia

Against: Robert Vusak, Jessie Naylor Zambrano

Abstentions: Luke Brosnan, Lachlan Lee

No Vote (conflict of interest): Bridge Truell

Motion Failed

8.8. Guild Café Rebranding Referendum

Motion: That the Guild Council hold a referendum to run concurrently with the Annual General Elections.

The proposition being that “The Guild rename its outlet ‘Guild Café: Engineering’ to ‘Guild Café: Basement’.

The Guild Council will appoint Guild Members to act as agents for the ‘Yes’ and ‘No’ campaigns respectively if required.

Moved: Rachel Taylor

Seconded: Luke Brosnan

Rachel Taylor spoke to this motion. Explained that City Hall Consulting proposed the names for Guild Café Library, Guild Café Engineering and Guild Café Central. Rachel commented that its odd that Guild Café Engineering was named after a specific degree. Rachel proposed that renaming Guild Café Engineering to Guild Cafe Basement would maintain old ties while upholding the same rebranding.

Robert Vusak asked why this item needs to be a referendum, commenting that it was a waste of resources.

There was general discussion about the value of holding a referendum and viewpoints about names of the cafes were conveyed.

Amended Motion: Motion: That the Guild Council hold a referendum to run concurrently with the Annual General Elections.

The proposition being that “The Guild rename its outlet ‘Guild Café Engineering’ to ‘Guild Café Basement’.

The Guild Council will appoint Guild Members to act as agents for the ‘Yes’ and ‘No’ campaigns respectively if required.

Amendable: Rachel Taylor

Amendable: Luke Brosnan

David Luketina explained the costs of rebranding and for the Guild Council to be aware of this. He said that he would prefer to postpone this discussion until the next Guild Council - after sufficient information is gathered.

Rachal Taylor recommended a circular resolution for this motion, to allow necessary information to be provided to guild Councilors.

Dylan Botica explained he wants to keep it as a referendum, stated his concern that receiving an absolute majority in a circular resolution has been evidently difficult.

Luke Brosnan proposed to withdraw the motion and continue as a circular resolution to ensure more time to gather rebrand costs.

Rachel Taylor asked if a condition can be included that allowed the motion to proceed if the rebrand was under a set cost and if the cost was over set amount, to proceed as a circular resolution.

Jesse Naylor Zambrano replied that the motion should be put to a vote, as it was the responsibilities of the movers to provide background before any further discussion.

Dylan Botica responded that there was no requirement to conduct research, that was beyond the mover's role or scope.

Lucy Rohl recommended to Luke and Rachel to withdraw the motion, gather the necessary branding background information to allow Guild Council to vote on a circular resolution.

Rachel Taylor and Luke Brosnan agreed to withdraw the motion and put forward a circular resolution.

Motion Withdrawn.

8.9. President and Secretary Timesheets

There was discussion about whether the President and Secretary should submit their timesheets to the Guild Council as part of reporting each month.

Dylan Botica explained that it would be beneficial to oversee the timesheets to ensure obligations were being met.

David Luketina referred to operations within other companies where CEOs would never be monitored by timesheets only outcomes.

Jesse Naylor Zambrano noted her workload and explained she would not be comfortable in her current capacity to provide more reporting.

There was discussion about the time needed to report on a timesheet, expectations of reporting from officers and whether that was being met and how much information should be provided to Guild Council.

Discussion Closed.

9. Minutes of Committees Reporting to the Guild Council
 - 9.1. Representation Board – Meetings held on 17/06/2021
 - 9.2. Legal Committee – Meetings held on 16/06/2021

Motion: That the Guild Council notes the minutes of the boards and committees en bloc.

Moved: Fatma Sehic (Secretary) Clare Metcalf

Seconded: Dylan Botica

Carried.

10. General Business

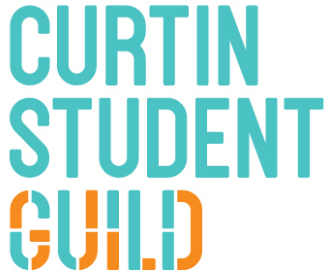
Robert Vusak explained that he put forward a motion for this meeting before the cut-off and it wasn't put in the agenda. Added that Fatma Sehic didn't respond to Robert's enquiry about the agenda. Robert asked why the motion wasn't included.

Lucy Rohl responded to Robert on behalf of Fatma that due to sickness she wasn't able to have the motion included in time. It was agreed the motion was more suited for the Representation Board meeting.

11. Next Meeting

The next ordinary meeting of the Guild Council is Thursday, 26th of August at 6pm to be held at 100.301. Documents and motions are to be submitted no later than 4:30pm on Thursday 19th of August to secretary@guild.curtin.edu.au

Meeting Closed 9:09pm



Student Guild of Curtin University

52nd Guild Council

Circular Resolution #3/2021

Issued 6/8/21

CIRCULAR RESOLUTION #3/2021

Voting Open from 5:30pm Friday 6th of August 2021 to 5:30 Friday 13th of August 2021.

For: Dylan Botica, Min Dee Chia, Luke Brosnan, Harry Brooking, Rachel Taylor, Shannon Chong, Clare Metcalf, Jason Kim, Fatma Sehic, Lucy Rohl

Against: Jesse Naylor Zambrano, Lachlan Lee, Robert Vusak

Conflict of Interest: Bridge Truell

Motion passes

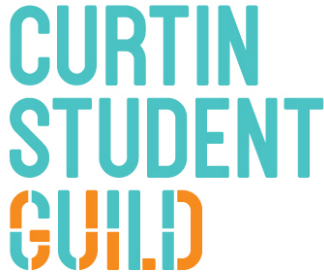
RESOLVED / Circular Resolution GC #3/2021

Motion: Suspension of Standing Orders

Motion: That the Guild Council suspend Standing Order *Guild By-Laws* 15(7) to allow the Circular Resolution "Referendum on the National Union of Students (NUS)" to be considered.

Moved: Jason Kim

Seconded: Dylan Botica



Student Guild of Curtin University

52nd Guild Council

Circular Resolution #4/2021

Issued 6/8/21

CIRCULAR RESOLUTION #4/2021

Voting Open from 5:30pm Friday 6th of August 2021 to 5:30pm Friday 13th of August 2021.

For: Dylan Botica, Min Dee Chia, Luke Brosnan, Harry Brooking, Rachel Taylor, Shannon Chong, Clare Metcalf, Jason Kim, Fatma Sehic

Against: Jesse Naylor Zambrano, Lachlan Lee, Robert Vusak, Lucy Rohl

Conflict of Interest: Bridge Truell

Motion passes

RESOLVED / Circular Resolution GC #4/2021

Motion: Referendum on the National Union of Students (NUS)

Motion: That the Guild Council upon the recommendation of the Representation Board hold a referendum to run concurrently with the Annual Elections.

The proposition being: "That the Curtin Student Guild leave the National Union of Students for 2022".

That the Guild Council appoint agents for the 'Yes' and 'No' campaigns with preference given to members of the Representation Board.

Moved: Jason Kim

Seconded: Dylan Botica