



### 1.0 WELCOME AND OPENING

Owen welcomed all Councillors, directors and proxies and acknowledged that UWA is situated on Nyoongar land. He paid his respects to Nyoongar elders past and present, and acknowledged the Nyoongar people remain the spiritual and cultural custodians of their land and that they continue to practice their beliefs, languages, values and knowledge.

#### 1.1 Attendance

Tom Henderson (Guild President), Cam Fitzgerald (Vice-President), Sam Shipley (Secretary), Daniel Jo (Treasurer), Lizzy O'Shea (Ed Council President), Honny Palayukan (PAC President), Maddie Mulholland (SOC President), Bec Doyle (Women's Officer), Kenneth Woo (ISS & OGC), Owen Myles (Chair & OGC), Alex Bennet (OGC), Rida Ahmed (OGC), Jonathan Lo (OGC), Aiden Depiazzi (OGC), Millie Dacre (OGC), Francois Schiefler (OGC), Rebecca Lawrence (OGC), Laura Clappinson (Queer Officer), Natalia Verne (Queer Officer), David Raithel (PSA President).

#### 1.2 Apologies

Merredith Cully (OGC), Richie Wu (OGC), Max Riley (Welfare Officer), Bryn Howells (Environment Officer), Michael Morrissey (Guild Sports Representative).

#### 1.3 Proxies

Kieran Natalwala (for Merredith Cully), Thomas Beyer (for Richie Wu), Emma Boogaerdt (for Max Riley), Nevin Jayawardena (for Bryn Howells), Lucy Moyle (for Michael Morrissey).

#### 1.4 Observers

None.

### 2.0 DECLARATIONS OF POTENTIAL OR PERCEIVED CONFLICTS OF INTEREST

### 3.0 CONFIRMATION OF PREVIOUS MINUTES

### 4.0 BUSINESS ARISING FROM PREVIOUS MINUTES

### 5.0 DIRECTORS' REPORTS

#### 5.1 Managing Director's Report

The MD referred to the paper on the staff Enterprise Bargaining Agreement (EBA) negotiations update. Any staff directors that were also a "staff representative" within the EBA negotiation process left the room whilst the item was discussed. The MD updated council on the progress to date including the bargaining situation on proposed wage increments. The rest of the MD report was noted.

## **5.2 Finance Report**

The MD reported that September Sources and Application of Funds showed a negative performance against budget for expenditure. This was due to some expenditure timing variances (noted at previous meetings) being realised and some “once off” costs in administration and finance, being a recruitment fee for new Accountant and finalisation of forensic accountant engagement. On an unaudited YTD to September basis the Guild is substantially ahead of both operating cashflow (favourable by \$244K) and accounting profit (favourable by \$288K) compared to budget.

## **5.3 Catering Director’s Report**

The Catering Director presented his report and noted the continuing above budget and above 2013 actual results for the Catering/Tavern area. The annual trend continues where tavern is performing below budget and the Catering area is well ahead of budget, resulting in a net combined favourable net accounting profit YTD of \$68K ahead of budget. The YTD improvement against 2013 actuals is far larger at \$232K. The CD noted that the mid semester successful trials of extended trading hours at key cafes during exams will be repeated in forthcoming exam periods and that this may result in a “net cost investment” in providing this service.

## **5.4 Director of Student and Corporate Services’ Report**

The DSCS presented his report and noted that the University planned to combine Enrolments and Orientation periods next year. The Guild will need to respond and plan activities during this condensed period. The DSCS also noted that very busy events period on the last 2 months is about to taper off. The DSCS also encouraged students to test and “try and break” the new website facilities on clubs and committees and provide feedback.

## **6.0 REPORTS**

### **6.1 Guild President**

Report as tabled.

### **6.2 Vice-President**

Report as tabled. Cam said the transition plan was underway and seems to be working okay. He reminded Office Bearers that they must write a longer end of year “handover” report for the next meeting.

### **6.3 Secretary**

Report as tabled.

### **6.4 Treasurer**

Report as tabled. Daniel said the 2015 Budget for Departments is due Friday. He asked that he be contacted if anyone required help.

### **6.5 Education Council President**

Report as tabled. Lizzy said SLETS had been completed.

## **6.6 Public Affairs Council President**

Report as tabled.

## **6.7 Societies Council President**

Report as tabled.

## **6.8 Women's Department**

Report as tabled.

## **6.9 Welfare Department**

No report submitted.

## **6.10 Environment Department**

Report as tabled.

## **6.11 International Student Services**

Report as tabled.

## **6.12 Queer Department**

No report submitted. Laura said Pride week went well, but was slightly over budget. She said the Queer Department held their election and that she would discuss it further later in the meeting.

## **6.13 Guild Sports Representative**

No report submitted.

## **6.14 Postgraduate Students' Association**

No report submitted. David said the PSA AGM would be coming up soon and announced that the PSA President would be Vikraman Selvaraja, who was elected unopposed.

## **6.15 Residential Students' Department**

No report submitted.

## **6.16 Aboriginal & Torres Strait Islander Students**

No report submitted.

## **6.17 UWA Sports Council**

No report submitted.

## **7.0 QUESTION TIME**

## 8.0 MOTIONS ON NOTICE

### 8.1 That Council:

- Approves the issue of tender documents via University Campus Management, for the Guild Student Central Hub Project (Part A – Collaborative Zone) to at least 3 builders selected by the External Project Manager, from the University preferred builder list, and that the approval is contingent on final confirmation from the Project Control Group.
- Endorses the current Project pre-tender estimate included in the Business Case, and that the endorsement is contingent on final confirmation from the Project Control Group.
- Endorses the funding sources for the project included in the Business Case.

*Moved: Tom Henderson; Seconded: Sam Shipley.*

Tom said he would like to add context and explained that this was a caveat on the motion he was moving. He said this would need to be considered if the Guild does not receive at least 50% of the SSAF CapEx Fund, which is application based. He said UWA Sport put in an application, so the Guild may not get all of the CapEx, but we have had indications from the uni that we might and are waiting on John Stubbs and the University Executive. He said on top of that, it is in the best interest of the Guild to continue to look for external financial sources. He said Alumni and Development are currently funding the Engineering area, and other projects and that the Guild is 4th or 5th on their funding list. He said we will see if we can push ourselves up the list and the Guild will attempt to find the money for this project.

Wayne said the university have given strong verbal confirmation but nothing in writing yet, so we cannot be 100% sure. He said this project has been well documented and endorsed through Finance & Planning. He said there have been challenges in the detailed design phase, being above initial estimates. He said the business case does outline which way we go about developing these estimates.

The motion was put. **Motion 8.1 passed unanimously.**

### 8.2 That Council approves the Media Relations Policy, as attached, for inclusion in the Guild Statute Book.

*Moved: Owen Myles; Seconded: Max Riley.*

Owen handed the Chair to Cam.

Owen said earlier in the year Council passed an interim media policy that expired today. He said there were a few amendments to the policy passed earlier in the year, including minor wording changes and removing some wording in the social media section, which would be in the new social media policy. He said the policy needs approval for inclusion in the Guild State Book.

The motion was put. **Motion 8.2 passed unanimously.**

The Chair was handed back to Owen.

### 8.3 That Council approves the amended Rules of the Societies Council, as attached.

*Moved: Maddie Mulholland; Seconded: Owen Myles.*

Maddie said Samuel Shenton has been looking after this but was unable attend tonight. She said there were a number of changes that all passed through SOC Council and Governance Committee.

The motion was put. **Motion 8.3 passed unanimously.**

- 8.4** That Council directs the Managing Director and the Governance Committee to assess feasibility and create a policy and framework for the recording of in-camera minutes of Guild Council meetings.  
*Moved: Alex Bennet; Seconded: Lizzy O'Shea.*

Alex said this is quite a standard procedure for most organisations, including the University Senate. He said if we don't remember something said in-camera, there is no record of what was said. He said we will need to look into the regulations regarding this and who would be able to access it.

Lizzy said this idea came up when they participated in a not-for-profit directors' training. She said this year there were issues discussed in-camera across many meetings and that it would have been good to have some record of what was discussed.

Rebecca asked whether Lizzy had a proposal of how to go about it?

Lizzy said the Guild would need to assess feasibility and look into the Statute Book. She said she would leave it to Governance Committee and the MD to make suggestions about the framework.

The motion was put. **Motion 8.4 passed unanimously.**

- 8.5** That the 2014 Council condemns the University for charging students a \$280 SSAF in 2014, and strongly recommend that the University reduces this fee to below \$100 in 2015, as the Guild recognises that high upfront university fees are detrimental to student welfare.  
*Moved: Rebecca Lawrence; Seconded: Aiden Depiazzi.*

Rebecca moved a procedural motion to defer items 8.5-8.9 until the November Guild Council meeting. Motion passed.

**Motion 8.5 deferred to November Guild Council meeting.**

- 8.6** That the 2014 Council recommends to the incoming 2015 Guild Council to not approve any funds intended for NUS affiliation fees in the 2015 Guild budget, as the students of UWA have not seen an adequate return for the money that was contributed in affiliation fees throughout 2014.  
*Moved: Rebecca Lawrence; Seconded: Aiden Depiazzi.*

**Motion 8.6 deferred to November Guild Council meeting.**

- 8.7** That the UWA Student Guild reports the progress on the Subway and Boost contracts to the student body regularly, in the form of:
- Detailed reports by the President at every council meeting, and
  - Summaries of key achievements and updates being published on the Guild's website at least once every month, in order to restore student confidence that the Guild representatives are acting on their election promises and ensure the Guild's operations are open and transparent to all students.

*Moved: Rebecca Lawrence; Seconded: Millie Dacre.*

**Motion 8.7 deferred to November Guild Council meeting.**

- 8.8** That the 2014 Council rules that no Guild funds are to be spent on flights, registration or accommodation expenses for NUS conferences for the remainder of its term, and strongly recommend this continue into 2015, instead contributing the funds to increased club funding or welfare services on campus.  
*Moved: Rebecca Lawrence; Seconded: Aiden Depiazzi.*

**Motion 8.8 deferred to November Guild Council meeting.**

- 8.9** That the 2014 Council orders the creation of a “Guild Budget App”, which enables students to “design their own budget”, complete with a detailed breakdown of what is included in each budget line item and how much money is allocated to each line item, to be ready by mid December 2015 in order to allow students to interact with the 2015 Guild budget.

*Moved: Rebecca Lawrence; Seconded: Francois Schiefler.*

**Motion 8.9 deferred to November Guild Council meeting.**

- 8.10** That Council recognises its affiliated clubs and societies as independent and autonomous bodies, and respects that with reference to their structure, constitution and operations.

**Moved from the floor.** *Moved: Millie Dacre; Seconded: Aiden Depiazzi.*

Millie moved a procedural motion to wave notice requirements. Motion passed.

Millie said the motion was in reference to club and FacSoc elections. She said the Guild shouldn't be involved in their operations.

Aiden said the motion comes after the unusual behaviour in FacSoc elections. He said the Guild shouldn't interfere with FacSoc elections.

Lizzy said that under statute 20.3.8, the Guild may exercise supervision over all student societies. She said the Guild regulations make FacSocs exist and without the Guild regulations, they do not exist.

Aiden said that ECOMS exist because they are incorporated. He said they affiliate to the Guild but the Guild should not be able to interfere.

Tom said he thinks there are two different issues here. He said regardless of incorporation, the Guild is here and does have to have a little bit of control over clubs and FacSocs. He said there is an issue if the Guild can't have a little bit of control over elections. He said if the Guild gave clubs and FacSocs full autonomy, there would be risk management that the Guild would have to undertake.

Aiden said FacSocs shouldn't be controlled by a small committee on the Guild. He said the Guild is benefitted by FacSocs.

Tom said the relationship is both ways. He said three years ago the Guild gave ECOMS \$20,000 to bail them out.

Aiden asked whether Tom would consider the Women's Department as autonomous and independent?

Tom said the Women's Department is autonomous but not independent, it does everything within the regulations of the Guild.

Aiden said ECOMS regulations aren't within the Guild.

Tom said yes, but if clubs and FacSocs want to engage with the Guild, they have to come under the Guild regulations.

Alex asked Millie who it was that legally enforces the Constitution of an incorporated body?

Francois said the Department of Commerce.

Alex asked who then, can enforce a constitution of non-incorporated bodies?

Aiden said the Directors of the body.

Owen handed the Chair to Cam.

Owen said that essentially this matter pertains to the Science Union elections. In regard to that, the matters before the Governance Committee are matters of procedure, whether the constitution of the club and regulations of the Guild were followed. He said the FacSocs come under Statute 20, Guild Regulations and UWA Regulations. He said they cannot be separated and that Statute 20 overrides all of this.



The Chair was handed back to Owen.

Tom said given the context, if a student makes a complaint to the Guild, should the Guild play a part in investigating the complaint. He asked whether the claim was about the process or the outcome?

Aiden said Governance Committee could look into the methods.

Tom said that given the relationship between Guild and FacSocs, do we listen to complaints by students? Where does this relationship stop and start?

Aiden said Science Union has a circular method, if you complain against the Returning Officer, the Returning Officer gets to decide the outcome.

Lizzy said there are many things being brought up about ECOMS and Science Union, but that many members of Council won't have seen any complaints, only those on Governance Committee. She said whether you like it or not, FacSocs exist under the Guild. This means FacSocs have access to Faculty Board, the chance to be a peak body, funding, insurance, etc. She said to say that they are completely autonomous is cornering. She said obviously the Guild does not hate clubs or FacSocs, but a body is not autonomous if they are not complying with Guild Regulations. She said all constitutions need to comply with Guild regulations. She said suggesting that it is about individuals and outcomes, instead of processes, is incorrect and misleading.

Lizzy moved an amendment to recognise that all clubs and FacSocs must comply within the relevant regulations:

“That Council recognises its affiliated clubs and societies as independent and autonomous bodies, and respects that with reference to their structure, constitution and operations, with acknowledged compliance to Statute 20 and the Guild Regulations.”

The motion was not amendable to the mover. Millie said the Guild shouldn't interfere with FacSocs.

Lizzy said the amendment makes the motion clearer and shows inherent compliance. She said the amended motion still respects autonomy and independence of clubs and FacSocs. She said that this still gives the Guild oversight and it mean they can step in where necessary. She said from a university perspective, the Guild should be able to oversee clubs and this should be explicitly clear.

A procedural motion was moved to vote on the amendment. Motion passed.

The amendment was put to vote. Amendment passed.

Tom suggested that the Governance Committee meeting did not go ahead and said that instead, he would seek legal advice from the University Lawyer regarding the statutes. He said this way we can go through the processes and if there is a breach, a process may be mapped out.

The motion was put. **Motion 8.10 passed with amendments:**

“That Council recognises its affiliated clubs and societies as independent and autonomous bodies, and respects that with reference to their structure, constitution and operations, with acknowledged compliance to Statute 20 and the Guild Regulations.”

**For:** Tom Henderson, Cam Fitzgerald, Sam Shipley, Daniel Jo, Lizzy O'Shea, Maddie Mulholland, Bec Doyle, Kenneth Woo, Owen Myles, Alex Bennet, Rida Ahmed, Jonathan Lo, Aiden Depiazzi, Millie Dacre, Francois Schiefler, Rebecca Lawrence, Kieran Natalwala (for Merredith Cully), Thomas Beyer (for Richie Wu).

**Abstaining:** Honny Palayukan.

**Against:** None.

**8.11** That within two days, the Guild President will contact the University Lawyer, in regard to the complaint made to Governance Committee.

**Moved from the floor.** *Moved: Tom Henderson; Seconded: Lizzy O'Shea.*

Tom moved a procedural motion to wave notice requirements. Motion passed.

Alex said that it would be best if this process could be completed quickly.

Tom said he would ensure it was completed as quickly as possible.

The motion was put. **Motion 8.11 passed unanimously.**

**8.12** That Council:

- Acknowledges the decision of the Queer Department at the General Meeting in regards to the no-confidence motion moved against the continuing Queer Officer;
- Appoints Ellen Cohen to fill the vacant position, recognising that Ellen was the candidate with the second highest number of votes in the most recent election;
- Initiates an immediate handover to the elected and appointed Queer Officers.

**Moved from the floor.** *Moved: Laura Clappinson; Seconded: Rebecca Lawrence.*

Laura moved a procedural motion to wave notice requirements. Motion passed.

Laura said that she moved a motion of no confidence in Natalia, which was passed by Queer Department. She said that Ellen had the second highest number of votes in the Queer Elections, so they would like to put her in place.

Tom said that given certain procedures have gone through to elect Queer Officers and given that the current Queer Department doesn't have a constitution, was there suitable conduct of the members and is it appropriate to appoint without a constitution? He asked whether they should wait until there is a Queer Department Constitution until another Officer is appointed?

Laura said this could not have happened in a short amount of time. She said this is the best way to ensure that we have someone to perform the role.

Tom suggested the amendment that "Interim Queer Officer" replaces "Queer Officer" until a constitution was created.

The amendment was amendable to the mover.

Bec asked how could a motion of no confidence be passed when the individual was not at the meeting?

Laura said that Natalia was informed that the motion would be moved and encouraged Natalia to attend or to send something in on her behalf. She said that Natalia sent in an address to the Returning Officer and that she also spoke.

Lizzy asked Owen (who was the Returning Officer for the Queer Officer Elections) whether the vote gave Natalia a fair chance?

Owen handed the Chair to Cam.

Owen said it was decided that given that Natalia didn't have a chance to see or reply to Laura's motion, that Laura would speak first. He explained that in this way, neither party would know what the other would say. He said the process was made as fair as possible.

The Chair was handed back to Owen.

Cam said that the Returning Officers contacted him, as the other members of the Guild Executive were not around. He said that he gave them approval and that the process was as fair as possible, given the circumstances and that the Queer Department is autonomous.



The motion was put. **Motion 8.12 passed with amendments:**

“That Council:

- Acknowledges the decision of the Queer Department at the General Meeting in regards to the no-confidence motion moved against the continuing Queer Officer;
- Appoints Ellen Cohen to fill the vacant position as Interim Queer Officer, recognising that Ellen was the candidate with the second highest number of votes in the most recent election;

Initiates an immediate handover to the elected and Interim Queer Officers.”

**For:** Tom Henderson, Cam Fitzgerald, Daniel Jo, Lizzy O’Shea, Maddie Mulholland, Owen Myles, Alex Bennet, Rida Ahmed, Jonathan Lo, Millie Dacre, Rebecca Lawrence, Thomas Beyer (for Richie Wu).

**Abstaining:** Sam Shipley, Honny Palayukan, Bec Doyle, Kenneth Woo, Aiden Depiazzi, Francois Schiefler, Kieran Natalwala (for Merredith Cully).

**Against:** None.

## 9.0 GENERAL BUSINESS

## 10.0 CLOSE / NEXT MEETING

The next meeting is scheduled for 26<sup>th</sup> November 2014 at 6.00pm. This will be the final Council meeting of the 101st Guild Council. Please contact the Guild Secretary ([secretary@guild.uwa.edu.au](mailto:secretary@guild.uwa.edu.au)) with apologies or proxies. All office bearers will be available from 5.30pm. If unable to attend, please advise which dates you are available to reschedule if a quorum cannot be met.