

Council Minutes Part A
(Open Minutes)
26 August 2019



PRESENT:	Mr St John (Chair), Professor McCutcheon (Vice-Chancellor), Mr Daniell, Ms Tarrant, Associate Professor Kawharu, Mrs Dunphy, and Mr Barton	
IN ATTENDANCE:	Professors Morrow and Metson, Mrs Cleland, Mr Gudsell, Ms McNaughton, the Women In Leadership Participants for 2019 and Mrs Verschaeren	
1. APOLOGIES	Mr Ferrier, Sir Ralph Norris, Ms Dawson, Ms Newsome, Associate Professor Sims	RESOLVED that the apologies be noted .
2. WELCOME	The Chancellor welcomed the Women In Leadership Participants for 2019	
3. DISCLOSURES OF INTEREST BY MEMBERS	The attention of Members was drawn to the Conflicts of Interest Policy and the need to disclose any interest in an item on the Agenda of the meeting as set out in s175 of the Education Act 1989.	No further disclosures were made.
4. CONFERMENT OF DEGREES	With the authority of Council, the Chancellor conferred the degrees as per the schedule provided to the meeting.	
5. COUNCIL MEETINGS	5.1 Council, Draft Minutes (Part A), 10.06.19	RESOLVED (Chancellor/Ms Tarrant): that the Minutes (Part A) of the Council meeting held on 10.06.19 be taken as read and confirmed .
	5.2 Matters arising from the Minutes (Part A), 10.06.19	No matters arising
6. VICE-CHANCELLOR'S REPORT	<p>The report was taken as read.</p> <p>The Vice-Chancellor presented the Report and he highlighted the following:</p> <p>The University continued to have a very good track record regarding health and safety. However, since the report was written, there had been a second significant health and safety issue involving a contractor. The person involved had suffered a</p>	RESOLVED (Chancellor/Mr Daniell): that the Vice-Chancellor's Report be noted .

	<p>severe cut on their hand when handling a glass panel in the new Engineering building. This incident would be included in the Vice-Chancellor's report for the October meeting. Notwithstanding this incident, the total number of health and safety issues remained very low.</p> <p>In addition to the alumni events mentioned under point 3.19, an additional event took place recently in Tonga; it was held by the Deputy Vice-Chancellor (Strategic Engagement), Professor Jenny Dixon and the Pro Vice-Chancellor (Pacific), Associate Professor Damon Salesa and had been well attended by alumni. Point 3.20 in the second line should read: "...had not only been met, but had also exceeded."</p>	
7. REPORTS OF COUNCIL COMMITTEES	<p>7.1 CAPITAL EXPENDITURE COMMITTEE</p> <p>7.1.1 Minutes (Part A), 19.07.19</p>	RESOLVED (Chancellor/Mr Daniell): that the Capital Expenditure Committee Minutes (Part A), 19.07.19 be received .
	<p>7.2 FINANCE COMMITTEE</p> <p>7.2.1 Minutes (Part A), 24.07.19</p> <p>The Chief Financial Officer (CFO), Mr Peter Gudsell spoke to this item and, more specifically, to the highlights of the Forecast Financial performance for 2019. He drew Council's attention to the continued satisfactory financial performance, which was the benchmark the University held itself to.</p> <p>Of particular interest was that the student numbers continued to grow this year with both domestic and international student numbers rising.</p> <p>In response to a question from a member of Council, the CFO explained that the approval of the new borrowing limit of \$600m was still in progress and it was anticipated that, when the approval would come though, it would include the requirement of monitoring and reporting.</p>	RESOLVED (Chancellor/ Mr Daniell): that the Finance Committee Minutes (Part A), 24.07.19 be received .
	<p>7.3 RŪNANGA</p> <p>7.3.1 Memorandum, 19.06.19 from the Pro Vice-Chancellor (Māori), Professor Cindy Kiro, regarding the Terms of Reference of Rūnanga</p> <p>7.3.2 Terms of Reference of Rūnanga – revised and current</p> <p>The following comments were made:</p> <ul style="list-style-type: none"> The Terms of Reference currently did not refer to the Treaty of Waitangi. One of the duties of Rūnanga was to inform Council on all matters Māori and one of the functions of Council was to acknowledge the principles of the Treaty of Waitangi. It might be appropriate to investigate whether the acknowledgment the principles of the Treaty of Waitangi should also be included in the Terms of 	RESOLVED (Chancellor/Mrs Dunphy) that: Memorandum, 19.06.19 from the Pro Vice-Chancellor (Māori), Professor Cindy Kiro, be received and the revised Rūnanga Terms of Reference be deferred to the October meeting .

	<p>Reference of Rūnanga.</p> <ul style="list-style-type: none"> Although the current membership of Rūnanga included elected members, there had been no elections in the last years, as it had been challenging to get nominations. <p>In the proposed new membership, only the student representatives would be elected (by Ngā Taura Māori); the other members would be <i>ex officio</i> or appointed by the Pro Vice-Chancellor (Māori). Council noted that Rūnanga was actually an open forum, but, as a statutory body, it also reported to Council and needed to have members who could make the relevant decisions. Council asked if the Pro Vice-Chancellor (Māori) could investigate whether the membership of Rūnanga needed to continue having elected members.</p> <p>Council asked that the above comments be relayed to the Pro Vice-Chancellor (Māori) and deferred the item to the meeting in October.</p>	
<p>8. SENATE MATTERS</p>	<p>8.1 REPORT OF SENATE, 22.07.19</p> <p>This item was presented by Professor John Morrow, Deputy Vice-Chancellor (Academic) (DVC(A)).</p> <p>He drew Council's attention to the following:</p> <ul style="list-style-type: none"> The Review of the Department of Accounting and Finance: This review considered the need for the Accounting programme to enable its students to meet the necessary requirements when entering the accounting profession. The recommendations included in particular the strengthening of the data analytics and finance component of the degree. The Review of Te Kupenga Hauora Māori: this review identified a number of challenges for the unit. These issues derived from its distinctive position in the Faculty of Medical and Health Sciences. It was an academic unit in its own right, but its Head also had leadership responsibilities across the Faculty. A range of CUAP Amendments. These included a number of new programmes; more specifically a new specialisation in Structural Engineering for the Bachelor of Engineering (Honours) which would be managed by the Civil Engineering Department. This specialisation was a response to the post-Christchurch earthquake situation. The second significant new programme was the Master of Marine Conservation. A new Teaching Capability Model: Teaching Well at the University of Auckland (TeachWell@UoA). This framework had been developed by a working group, Chaired by Professor Graeme Aitken. It identified areas of teaching activity and determined criteria for evaluation. The aim was to raise the general teaching quality at the University and improve student experience. The Framework had implications for the Academic Development and Performance Review process. The 2020 Proposed programme Limitations. These were not a matter of 	<p>RESOLVED (Chancellor/Associate Professor Kawharu):that the recommendations in Part A of the Report of Senate, 22.07.19 be adopted and Parts B and C be noted</p>

	<p>controversy this year. A typographical error was noted on p. 37 of the document where in the last column, the proposed limits for the LLB Part II should read 410 and 420.</p> <p>Part Ai, 1 - 4: Reviews to be received by Council Part Aii, 5 - 11: Policy and other matters requiring Council approval Part B, 1: Matters for noting by Council Part C, 1-2: Matters handled under Delegated Authority</p> <p>The CUAP Proposals listed in the above report under Aii,5 were approved by the Vice-Chancellor by delegated authority on 23.07.19 to allow for their submission to CUAP on 01.08.19.</p> <p>Council asked management to look at expanding the content of the Senate Report to provide more detail, especially when a large quantity of documents required Council approval.</p>	
<p>9. CORRESPONDENCE REFERRED BY THE CHANCELLOR</p>	<p>No items received.</p>	
<p>10. OTHER MATTERS FOR DECISION OR NOTING</p>	<p>10.1 SEAL</p> <p>Since the Council meeting on 10.06.19 the seal has been applied to the following documents in accordance with the Council resolution of 18.02.1991:</p> <ol style="list-style-type: none"> 1. Facilities Agreement & Acknowledgement to ANZ Bank New Zealand Ltd from The University of Auckland - University of Auckland (Borrower) and ANZ Bank of New Zealand Ltd (Lender) 2. Facilities Agreement & Acknowledgement to the Hong Kong & Shanghai Banking Corporation Ltd from the University of Auckland - University of Auckland (Borrower) and The Hong Kong & Shanghai Banking Corporation Ltd (Lender) 3. Facilities Agreement & Acknowledgement to MUFG Bank Ltd, Auckland Branch from the University of Auckland - University of Auckland (Borrower) and MUFG Bank Ltd, Auckland Branch (Lender) 4. Facilities Agreement & Acknowledgment to Industrial & Commercial Bank of China (New Zealand) Ltd from The University of Auckland - University of Auckland (Borrower) and Industrial & Commercial Bank of China (New Zealand) Ltd (Lender) 	<p>RESOLVED (Chancellor/Mrs Dunphy): that the affixing of the seal to the listed documents be noted.</p>

	<ol style="list-style-type: none"> 5. Facilities Agreement & Acknowledgement to Commonwealth Bank of Australia, New Zealand Branch from the University of Auckland - University of Auckland (Borrower) and Commonwealth Bank of Australia, New Zealand Branch (Lender) 6. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – Kiwibank Ltd & The University of Auckland 7. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – ANZ Bank New Zealand & The University of Auckland 8. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – Commonwealth Bank of Australia & The University of Auckland 9. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – The Hong Kong and Shanghai Banking Corporation Ltd & The University of Auckland 10. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – MUFG Bank Ltd & The University of Auckland 11. ISDA (International Swaps & Derivatives Association) 2002 Master Agreement – Industrial & Commercial Bank of China (New Zealand) Ltd & The University of Auckland 12. Deed of Lease – Part L3, Snelgar Building, Waitakere Hospital – Waitemata District Health Board (Landlord) & The University of Auckland (Tenant) 13. Deed of Surrender of Lease – Part L3, Snelgar Building, Waitakere Hospital – Waitemata District Health Board (Landlord) & The University of Auckland (Tenant) 14. Acknowledgement to the Hong Kong and Shanghai Banking Corporation Ltd – The University of Auckland pursuant to Clause 2 of a negative pledge deed dated 30/6/2011 	
	<p>10.2 UNIVERSITY OF AUCKLAND INVESTMENT PLAN 2020-2022</p> <p>10.2.1 Educational Performance Indicator Commitments (EPIC) and statement from the Director of Planning Mrs Pamela Moss</p> <p>10.2.2 University of Auckland Investment Plan 2020-2022</p> <p> This item was presented by the Director of Planning, Mrs Pamela Moss. She drew Council’s attention to the following:</p> <p> The Investment Plan 2020-2022 has been prepared according to the requirements set out in the Gazette notice: Education (Proposed Investment Plans: Requirements, Content, Submission and Assessment; and Plan Summaries).</p> <p> The Investment Plan was the main document by which TEC approved the funding for the University. It was reviewed by TEC and received a very positive response.</p>	<p>RESOLVED (Chancellor/Mr Barton) that:</p> <p>(i) The EPIC and statement from the Director of Planning be received;</p> <p>(ii) The Investment Plan 2020-2022 be approved for submission to the Tertiary Education Commission (TEC); and</p> <p>(iii) The Vice-Chancellor be delegated the authority to vary the document as required to take account of issues arising from discussions with TEC on the funding available for 2020 to 2022.</p>

	<p>The University performance commitments to include in the document were provided by TEC and could not be chosen by the University. The Plan included the University's actual performance since 2014 and its proposed performance commitments. Because of a recent change to the Education Act and the requirements of the Investment Plan, the University was also required to include the performance commitments in the Annual Plan.</p>	
	<p>10.3 GRADUATION PROCESSIONS– UPDATE (tabled at the meeting)</p> <p>Memorandum from the Manager of Scholarships and Graduation, Mrs Margaret Crannigan-Allen</p> <p>Following the Christchurch shootings, the University had held discussions with New Zealand Police regarding increased risk of "Vehicle as weapon" at public events.</p> <p>After further engagement with New Zealand Police, a traffic Management Firm and Auckland Transport on how to mitigate this risk, a new process was proposed for the September Graduation Procession. At this event, the traffic management firm would employ a rolling process using vehicles to block off the streets where and when the procession was passing.</p> <p>Council will receive a report about this at the meeting in October.</p>	<p>RESOLVED (Chancellor/Vice-Chancellor):that the Council note the Graduation Processions – update</p>
<p>11. ELECTIONS – APPOINTMENTS</p>	<p>ELECTIONS – APPOINTMENTS</p> <p>11.1 Memorandum, 29.07.19 from the Chancellor regarding the Council Appointments Statute</p> <p>11.2 Council Appointments Statute – revised</p> <p>11.3 Council Appointments Procedures – revised</p> <p>11.4 Elections Procedures – Revised</p> <p>11.5 Contact List for Expressions of Interest for the Māori member</p> <p>11.6 Statement of Skills and Experiences Sought Relevant to Vacant Positions</p>	<p>RESOLVED (Chancellor/Ms Tarrant): that Council:</p> <p>i) Adopt the revised Council Appointments Statute subject to the correction of typos,</p> <p>ii) Approve the revised Council Appointments Procedures and attached forms</p> <p>iii) Approve the revised Election Procedures;</p> <p>iv) Approve the Contact List for Expressions of Interest for the Māori member; and</p> <p>v) Note the Statement of Skills and Experiences Sought Relevant to Vacant Positions.</p>
<p>12. GENERAL BUSINESS</p>	<p>None</p>	

13. LEAVE OF ABSENCE	(for the meeting of 21 October 2019) No leave of absence was requested.	

PUBLIC EXCLUSIONS

RESOLVED (Chancellor/Vice-Chancellor): that the public be excluded from Part B of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered:

Item No. 1.1	Council Meeting Minutes (Part B), 10.06.19
Item No. 2.1.1	Animal Ethics Committee Membership Report
Item No. 2.2.1	University of Auckland Human Participants Ethics Committee
Item No. 2.3.1	Auckland Health Research Ethics Committee
Item No. 2.4.1	Capital Expenditure Committee, Minutes (Part B), 19.07.19
Item No. 2.4.2	Revised CEC terms of reference and revised delegations to the Vice-Chancellor
Item No. 2.5.1	Finance Committee, Minutes (Part B), 24.07.19
Item No. 2.5.2	Financial Performance and Forecast for 2019
Item No. 2.6.	University Honours Committee Reports

Reason for passing this resolution in relation to each matter:

The protection of the interests mentioned below.

Grounds under section 48(1) for the passing of this resolution:

Those in Section 9 of the Official Information Act 1982 namely:

- i) To protect the privacy of the persons referred to in the recommendations and to maintain the confidentiality of those recommendations;
- ii) To enable the University to carry on without prejudice or disadvantage negotiations; and
- iii) To prevent the disclosure or use of Official Information for improper gain or advantage.

AND THAT Adrienne Cleland, Professors John Morrow and Jim Metson, Peter Gudsell, Colleen Seth, Pamela Moss and Wendy Verschaeren be permitted to remain for this part of the meeting, after the public has been excluded, because of their knowledge of, or need to be briefed about, the matters to be discussed. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because they relate to aspects of the administration of The University of Auckland for which those persons are responsible.

The meeting closed at 5.50 p.m.

The meeting went into Public Excluded session at 5.15 p.m.

Approved as a true and correct record.

Scott St John, Chancellor

Date