

# Council Minutes

4:00pm  
Council Room  
19 June 2017



**Present:** Mr St John (Chair), Professor McCutcheon (Vice-Chancellor), Mr Ferrier, Ms Dawson (by telephone), Associate Professor Kawharu, Mr Kiely, Associate Professor Sims (by telephone except from the end of Item 7 to the end of Item 8.3.3), Mrs Dunphy, Mr Matthews

**In Attendance:** Mrs Cleland, Professors Morrow and Metson, Mr Peters, Ms Davila, Ms McNaughton, Mr Mosely, Mr Rengers, Mrs Verschaeren

## **PART A – Open Minutes**

### **1. APOLOGIES**

Sir Ralph Norris, Ms Tarrant, Mr Daniell

**RESOLVED** (Chancellor): That the apologies be noted.

### **2. DISCLOSURES OF INTEREST BY COUNCIL MEMBERS**

In reference to Item 8.5, Ms Dawson advised that she was member of the Board of the Beca Group Limited and had abstained from voting.

**RESOLVED** (Chancellor): that the above disclosure be noted and the action taken be endorsed.

### **3. HONOURS/AWARDS**

#### **The Queen's Birthday Honours**

Members noted that the Chancellor and Vice-Chancellor had sent congratulatory letters to those persons with links to the University.

### **4. CONFERMENT OF DEGREES**

With the authority of Council, the Chancellor **conferred** the degrees as per the schedule provided to the meeting.

### **5. AWARD OF DIPLOMAS**

With the authority of Council, the Chancellor **awarded** the diplomas as per the schedule provided to the meeting.

## 5. COUNCIL MEETINGS

### 5.1 Council, Draft Minutes (Part A), 26.04.17

**RESOLVED** (Chancellor/Associate Professor Kawharu): That the Minutes (Part A) of the Council meeting held on 26.04.17 be taken as **read** and **confirmed**.

### 6.2 Matters arising from the Minutes (Part A), 26.04.17 not elsewhere on the Agenda.

No matters arising.

## 7. VICE-CHANCELLOR'S REPORT

The Vice-Chancellor's report was taken as read.

In response to a question of a Member, the Vice-Chancellor pointed out that the University commemoration of Professor Tarling would take place later this year so that it would not coincide with the commemoration organised by the Professor's family and friends.

With regards to point 2.8, the Vice-Chancellor advised Council that the results of the staff survey were now available; an early summary indicated that 67% of staff had taken part in the survey which was 1% lower compared to the previous survey. After campus-wide roadshows about the survey results in July, the results would be presented to Council in August.

With regards to point 5.7, the Vice-Chancellor commented that, with the new gifts and pledges the University had received, the fundraising total was now close to \$210 million and the campaign was well on track to reach its goal of \$300 million.

Council members advised that the report contained the following errors:

- On p.6, third bullet point to read: Drs Sam Manuela, Tim West-Newman (Psychology, Science Faculty) and Carla Houkamau (**Management and International Business, Faculty of Business and Economics**)
- On p. 35, first line, third paragraph, to read: **Professor** Jo Manning

**Associate Professor Sims retired from the Meeting at 4.15pm**

**RESOLVED** (Chancellor/ Vice-Chancellor): that the Vice-Chancellor's Report be noted.

## 8. REPORTS OF COUNCIL COMMITTEES

### 8.1 AUDIT AND RISK COMMITTEE

#### 8.1.1 Minutes (Part A), 19.05.17

**RESOLVED** (Chancellor/ Mr Ferrier): that the Audit and Risk Committee Minutes (Part A), 19.05.17 be **received**

### 8.2 CAPITAL EXPENDITURE COMMITTEE

#### 8.2.1 Minutes (Part A), 25.05.17

**RESOLVED** (Chancellor/Mr Ferrier): that the Capital Expenditure Committee Minutes (Part A), 25.05.17 be **received**.

### 8.3 FINANCE COMMITTEE

#### 8.3.1 Minutes (Part A), 30.05.17

**RESOLVED** (Chancellor/Mrs Dunphy): that the Finance Committee Minutes (Part A), 30.05.17 be **received**.

#### 8.3.2 Financial Performance to 31 March and Forecast for 2017

The Chief Financial Officer, Mr Peter Gudsell presented this item. He commented that the student numbers had been growing in 2017: the total number of international student numbers increased by 9.1% and, although the number of domestic students had decreased, this decrease had been less than expected.

The revenue streams the University was increasingly relying on (revenue of international enrolments and research) presented a number of risks and, to mitigate this variability of revenue, the University was aiming for a surplus of 4% rather than 3%. Cash holdings are ahead of budget at \$131m.

Future peak debt would be assessed together with the refresh of the Long-term Academic and Capital Plan. At that point some stress tests around the revenue projections would also be considered; these tests would take into account what would happen if the projected revenue growth did not eventuate. Council noted that, with the continued constraints on Government funding, it was necessary to continue to consider alternate streams of revenue.

The Chief Financial Officer also commented that, although operating cash flow was falling somewhat lower than budgeted, it would be possible to maintain cash balances in 2017, as the capital expenditure would be lower than originally projected.

At this point the Financial Performance for 2017 looked satisfactory. With regards to Table 10 on p. 73 of the Agenda, the Chief Financial Officer reported that the Tertiary Education Commission (TEC) had confirmed that there was no difference between a committed and uncommitted facility, which meant that the Quick Ratio would move to the low risk category.

In response to a question from a member, the Chief Financial Officer told Council that the University was moving away from leasing computer equipment in favour of purchasing it, as it was more cost effective to maintain the equipment for longer than the lease term of three years.

**RESOLVED** (Chancellor/Vice-Chancellor): that the Financial Performance to 31 March and Forecast for 2017 Report be **received**; and that Council **note** the Finance Committee report that the University's forecast performance against budget, TEC financial risk criteria, the University's own financial management parameters, Strategic Plan objectives related to financial and resource management and debt-related and other external covenants is satisfactory.

#### 8.3.3 Treasury Policy Review

The Chief Financial Officer presented this item. He pointed out that the Treasury Policy was reviewed annually and that minor changes had been implemented to allow for digital applications. Subsequent to the Meeting of the Finance Committee, a letter had been received from Bancorp endorsing the updates made to the Policy.

In response to a question of a member, the Chief Financial Officer clarified that the potential asset sale mentioned on 9. 91 of the Agenda referred to the Epsom Campus.

### **Associate Professor Sims rejoined the Meeting at 4.45pm**

**RESOLVED** (Chancellor/ Associate Professor Kawharu): that the Treasury Policy Review memo and policy letter be **received** and **noted** and the Treasury Policy updates be **approved**

#### **8.4 EQUITY LEADERSHIP COMMITTEE MID-YEAR REPORT**

The Pro Vice-Chancellor (Equity), Ms McNaughton presented this item. She highlighted an important innovation in the Faculty of Medical and Health Sciences where the curriculum had been aligned with equity activities. More specifically, this referred to the Family Violence Project which aimed to keep students, staff and bystanders safe, while also encouraging perpetrators to seek help.

**RESOLVED** (Chancellor/Vice-Chancellor): that the Equity Leadership Committee Mid-Year Report be **received**.

#### **8.5 NAMING COMMITTEE REPORT, 23.05.17**

**RESOLVED** (Chancellor/Vice-Chancellor): that Council **note** that Naming Committee has approved the naming of one of the Faculty of Engineering's new multidisciplinary spaces (MDLSs), "The Beca MDLS"

### **9. SENATE MATTERS**

#### **9.1 Report of Senate, 29.05.17**

Professor Morrow introduced the Report of Senate.

Part A, 1-3:	Policy and other matters requiring Council approval
Part B, 1:	Matters for noting by Council
Part C, 1-2:	Matters handled under Delegated Authority

**RESOLVED** (Chancellor/Mr Ferrier): That the recommendations in Part A of the Report of Senate, 29.05.17 be adopted, and Parts B and C be noted.

### **10. CORRESPONDENCE REFERRED BY THE CHANCELLOR**

**RESOLVED**(Chancellor/Vice-Chancellor): that that the letter from the Hon. Paul Goldsmith, Minister for Tertiary Education, Skills and Employment, regarding the 2016 Annual Report for the University of Auckland be **noted**.

### **11. OTHER MATTERS FOR DECISION OR NOTING**

#### **11.1 SEAL**

Since the Council meeting on 19.10.16 the seal had been applied to the following documents in accordance with the Council resolution of 18.02.1991:

(1) Deed of Lease : Level 9, 67 Symonds Street, Auckland: Sandpiper Investments Limited and The University of Auckland

- (2) Deed relating to Extension and Variation of Lease for Level 5, 67 Symonds Street, Auckland : Sandpiper Investments Limited and The University of Auckland
- (3) Deed relating to Extension and Variation of Lease for Level 10, 67 Symonds Street, Auckland: Sandpiper Investments Limited and The University of Auckland
- (4) Deed relating to Extension and Variation of Lease for Level 11, 67 Symonds Street, Auckland: Sandpiper Investments Limited and The University of Auckland
- (5) Deed of Variation of Lease: Waikato Clinic School, Waikato Hospital, Hamilton: Waikato District Health Board and The University of Auckland
- (6) Deed of Rent Review: 70 Symonds Street, Auckland: TGB Properties (NZ) Pte Limited and The University of Auckland

**RESOLVED** (Chancellor/Vice-Chancellor): that the affixing of the seal to the above documents be **noted**.

#### 11.2 **PAYMENT OF ATTENDANCE FEES TO LAY MEMBERS OF COUNCIL AND COUNCIL COMMITTEES**

1. Commencing 1 April 2007, the meeting attendance fee paid to lay members of Council and lay members of 'Approved Committees' should be adjusted automatically on 1 April of each year by the CPI movement in preceding calendar year, unless this meant the attendance fee exceeded the maximum rate fixed by the minister under section 179 of the Education Act, or Council at the time resolved otherwise; and
2. That for the purposes of this resolution the list of 'Approved Committees' be:
  - Animal Ethics Committee
  - Biological Safety Committee
  - Human Participants Ethics Committee
  - Rūnanga
  - Students Appeals Committee.

It was appropriate to ensure that the value of the payment made to lay members was maintained and that to achieve this, the previously approved meeting attendance fee of \$155 per half day should be increased to \$160.00 being the CPI movement for the previous year rounded up to the nearest \$5 increment.

**RESOLVED** (Chancellor/Mr Kiely) that the Attendance Fee of \$155.00 per half day be increased to \$160.00 with effect from 01.07.2017.

#### 11.3 **AMENDMENT TO SENATE ELECTIONS VOTING STATUTES 2013 LECTURERS' REPRESENTATIVES OF FACULTIES AND AT LARGE)**

Memorandum, 06.06.17 of the Deputy Vice-Chancellor (Operations) and Registrar and amended Senate Elections Voting Statutes 2013 (Lecturers' Representatives of Faculties and at Large)

**RESOLVED** (Chancellor/Mr Kiely) that the Memorandum, 06.06.17 of the Deputy Vice-Chancellor (Operations) and Registrar be **received** and the amendments to the Senate Elections Voting Statutes 2013 (Lecturers' Representatives of Faculties and at Large) be **approved**.

#### 11.4 **REPORT TO THE UNIVERSITY COUNCIL BY THE VICE-CHANCELLOR AND THE DEAN OF LAW ON IMPLEMENTATION OF THE INCREASE IN NUMBERS OF STUDENTS ENROLLED IN PART 2 OF THE LAW PROGRAMME**

The Chancellor explained that this report was put forward as a result of the Council Meeting in October 2016 where the increase of the intake in Part 2 Law

had been discussed extensively. A compromise had been reached and a decision to move forward with the increase had been made asking the Vice-Chancellor and the Dean of Law to present a further Report about the implementation of the increase at this meeting.

The increased intake remained a sensitive issue for some staff members who were concerned about staff resources and the growth in class sizes. There was also some concern that the Vice-Chancellor was imposing strategies on the Faculty; however, to run the University, it was the Vice-Chancellor's responsibility to discuss strategies with the Deans and then implement these in the Faculties.

When preparing the Report, staff had been invited to put forward recommendations for inclusion in the report.

As a result 13 individual submissions had been received from academic and professional staff members which were largely positive. In addition a paper prepared by five academic staff members and subsequently signed by 26 other academic staff members had also been received; this paper, signed by the majority of academic staff in the Faculty, was mostly negative. A request to submit this paper to Council had been declined, as it was considered improper procedure to submit one single submission to Council while the other submissions were not provided; furthermore some of the submissions had not been made with the intention of being submitted to Council. All submissions however, had been considered to inform the report.

The Dean of Law, Professor Stockley, commented that hiring quality academic staff members was crucial for the Law School to maintain its current ranking within the top 50 Law Schools in the world. However with hiring, it was often challenging to maintain the balance amongst academic staff, as sometimes a quality staff member with expertise in a certain area left the University and the newly hired quality academic staff member had expertise in another area. Nonetheless he was very pleased with the staff who had been hired, as outlined in the report.

Associate Professor Kawharu was of the opinion that the report was disappointing as it was overly positive and overlooked the pressure the increase in Part 2 Law had put on staff members in the Law School. A difficult issue was that of the academic staff members who left the University in the last 18 months, most taught in the four compulsory courses in Part 2 Law and that, when the semester started, there had been only one replacement for these staff members. The Law School was however managing the increased intake in Part 2 Law very well because of the dedication, professionalism and hard work of the staff. Staff members in the Law School were absolutely committed to continue discussing strategies and to develop a suitable plan for the future. This also included developing new ways of teaching taking into account the availability of staff.

The Dean commented that it was important to continue conversations within the School on how, with the help of new staff, the remaining problems could be resolved.

Council commented that the direction of travel was very important for the Law School. Also, for the benefit of the students, it was vital to continue the ongoing constructive dialogue between the Dean and staff.

**RESOLVED** (Chancellor/Vice-Chancellor): that the Report to the University Council by the Vice-Chancellor and the Dean of Law on the implementation of the increase in numbers of students enrolled in Part 2 of the Law Programme be **noted**.

## **12. GENERAL BUSINESS**

### **12.1 COUNCIL AND COMMITTEES WORKPLAN 2017 - update**

**RESOLVED** (Chancellor/Vice-Chancellor): that the Council and Committees Workplan 2017 -update be **received and noted**.

## 12.2 MEETING AND GRADUATION DATES 2018

The following 2018 meeting dates had been confirmed and electronic invitations had been sent to the members.

**Council Meeting dates:**

12.03.18    30.04.18    18.06.18    20.08.18    17.10.18    10.12.18

**Finance Committee dates:**

27.02.18    29.05.18    24.07.18    26.09.18    27.11.18

**Audit and Risk Committee dates:**

21.02.18    23.05.18    18.09.18    20.11.18

**Graduation Dates:**

- **Tai Tokerau Graduation: 16.02.18**
- **Autumn Graduation: 07.05.18, 09.05.18, 11.05.18**
- **Spring Graduation: 25.09.18**

**RESOLVED** (Chancellor/Vice-Chancellor): that the Meeting and Graduation Dates 2018 be **noted**.

## 12. LEAVE OF ABSENCE (for Council meeting of 21 August 2017)

Mr Ferrier and Ms Dawson advised that they would not be able to attend the Meeting of 21.08.17; they could however, participate by conference call if this would be necessary.

**Mr Matthews retired from the Meeting at 6.00pm**

## **PART B**

### **PUBLIC EXCLUSIONS**

**RESOLVED** (Chancellor/Mr Ferrier): 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. 14.1	Council Meeting Minutes (Part B), 26.04.17
Item No. 15.1	University of Auckland Biological Safety Committee, 06.06.17
Item No. 15.2	University of Auckland Human Participants Ethics Committee, 06.06.17
Item No. 15.3	University of Auckland Animal Ethics Committee, 06.06.17
Item No. 15.4.1	Audit and Risk Committee, Minutes (Part B), 19.05.17
Item No. 15.5.1	Capital Expenditure Committee, Minutes (Part B), 25.05.17
Item No. 15.5.2	Proposal relating to student accommodation
Item No. 15.6.1	Finance Committee, Minutes (Part B), 30.05.17
Item No. 15.7.1	University Honours Committee Report, 16.05.17
Item No. 15.9	Naming Committee Report, 07.06.17

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, Professor Jim Metson, Peter Gudsell, Gabriella Davilla, Peter Fehl, Brendan Mosely, Michael Rengers 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 moved into Public Excluded Session at 6.00pm**

**The Meeting closed at 6.15pm**

**Approved as a true and correct record.**

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Scott St John, Chancellor

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Date