

2005

THE UNIVERSITY OF MELBOURNE

COUNCIL MEETING NO 2

A meeting of the Council was held in the Council Chamber, 1st Floor, Old Quadrangle on Monday 7 March 2005 at 4.00 p.m.

Present

Members

The Chancellor, Mr I A Renard (In the Chair)
The Deputy Chancellor, (Dr B Lochtenberg)
The Vice-Chancellor (Professor G Davis)
The President of Academic Board (Professor L Skene)
Ms E Alexander, Mr T L Anning, Mr B Barnett, Hon Justice Crennan,
Dr M Doig, Associate Professor M A Elgar, Professor P Pattison
Ms E N S Ritchie, Ms R Storelli, Mr E Thornley, and Hon Mr D R White.

Others Attending

The Deputy President of Convocation (Mr A Handberg)
The President of the Post Graduate Association (Mr M Bellegham)
The Chair of the Interim Student Representative Committee (Mr P Donegan)

The Deputy Vice-Chancellor (Research) (Professor F Larkins)
The Deputy Vice-Chancellor (Academic) (Professor P McPhee)
The Senior Vice-Principal (Mr I Marshman)
The Vice-Principal and Chief Financial Officer (Mr D Percival)
The Vice-Principal and General Counsel (Mr C Penman)
The Vice-Principal (Property & Buildings) (Dr D Daines)
The Acting Vice-Principal and Academic Registrar (Ms M Emison)
The Vice-Principal (Human Resources) (Ms E Baré)
The Vice-Principal (Information) (Ms L O'Brien)

The University Secretary (Mr L Currie)
The Assistant University Secretary (Mr J Green)
The Senior Media Adviser (Ms C Buckridge)
The Manager, Media and Publication Services (Mr Bruce Wardley)

Business

1. Formal Matters [Item A.01]

- 1.1** The Chancellor welcomed Professor Davis and Mr Barnett to the meeting, and informed Council that he had received a letter confirming the reappointment of Judge Lawson for a further term.
- 1.2** Apologies were received from Justice Chernov, Mr G Hehir and Judge Lawson.
- 1.3** The Chancellor advised that Ms Catherine Ellis had submitted her resignation from Council. The University Secretary announced his intention to delegate the conduct of the election to the University of Melbourne Postgraduate Association, in accordance with the provisions of Regulation 2.1.R1.

2. Minutes of Previous Meeting [Item A.1 (a)]

- 2.1** The minutes of Council meeting 12/04 held on 13 December 2004, copies of which had been distributed and amended, were confirmed, subject to the attachment of the minutes of appreciation for Ms Marles and Professor Lee Dow.
- 2.2** The minutes of Council deemed meeting 13/04 held on 24 December 2004, copies of which had been distributed, were confirmed.
- 2.3** The minutes of Council deemed meeting 1/05 held on 1 February 2005, copies of which had been distributed and amended, were confirmed.
- 2.4** The Action Sheet was noted from Meeting No. 12/04.

3. Starring of Additional Items [Item A.2 (a)]

Items A4.8&14; and A6.6 were starred for discussion.

4. Motion to Adopt or Receive “Unstarred Items of Business” [Item A.2 (b)]

In accordance with established procedure, it was formally agreed that the items of business that were not to be specifically discussed should be adopted where containing **recommendations** or received where containing reports.

5. Chancellor’s Matters [Item A.3]

5.1 Key 2005 Performance Indicators for the Vice-Chancellor

Council discussed a draft table of Key 2005 Performance Indicators for the Vice-Chancellor and noted that the Chancellor and Vice-Chancellor would finalise a set of indicators to be reported to the April meeting.

5.2 Improving the Way in Which Council Operates

- 5.2.1** A Summary of Actions resulting from discussions at the 2005 Council Planning Conference was received and noted. It was noted that the reference in Part 4 of the Summary to a closer relationship between Council and senior academic staff should be clarified to refer to a closer relationship between Council and Deans.
- 5.2.2** Council agreed to establish a Working Group to Review Governance Committee Structures, which will seek to distinguish those matters properly

determined by Council from those properly dealt with by the Vice-Chancellor and senior management, and bring forward recommendations for a simplified committee structure. The Group is to comprise the Chancellor, at least one Deputy Chancellor as determined between them, the Vice-Chancellor, the President of the Academic Board and the Chair of Human Resources Committee. It is to be advised by the Senior Vice-Principal and the University Secretary, and have access to other Vice-Principals as appropriate. The first meeting is to be held as soon as possible after the Senior Vice-Principal and University Secretary have completed their review paper for the Vice-Chancellor.

- 5.2.3** Council resolved to reconstitute Council's Legislation Committee as a Legislation and Trusts Committee, as set out in Appendix A to the Summary, but with the wording after "certify to Council annually" in number three of the terms of reference amended to read "whether or not in its opinion all trusts are being performed in accordance with the law and in proper fulfilment of their terms".

5.3 Council Appointments to Committees and Other Bodies

Council resolved as follows:

- (a) To amend the Audit and Risk Committee Standing Resolution 2.1.1. from "*six members appointed by Council at least three of whom are members of Council. All six members must be external members*" to read, "*six members appointed by Council at least three of whom are members of Council. At least five of the six members must be external members.*"
- (b) To amend the Human Resources Committee membership to provide for "The President of the Academic Board *or nominee.*"
- (c) To adopt the Central Committees Appointments as shown in Appendix A of the report for the period 1 March 2005 to 28 February 2006.

5.4 Amendments to Melbourne University Act

- 5.4.1** Council noted the correspondence from the Department of Education and Training regarding forthcoming amendments to the Melbourne University Act.
- 5.4.2** The University Secretary reported that the Department of Education and Training had advised that it now proposed that amendments to the Victorian university acts to set maximum periods of appointment for Council members would mirror the provisions of the National Protocols. The Department had also advised that, in view of the University of Melbourne responsibilities for award courses offered in the Victorian College of the Arts, the University would be given the opportunity to review amendments to the VCA Act at the same time as it was reviewing its own Act. Amendments to the Melbourne University Act would also allow electronic voting in University elections.
- 5.4.3** Council appointed a Working Group comprising the Chancellor, Deputy Chancellors, Vice-Chancellor, Senior Vice Principal, General Counsel and University Secretary to review the draft bill when it became available.
- 5.4.4** The University Secretary was requested to draw the attention of drafting officers to anomalies in the references to the Head of the Academic Board in the Melbourne University Act.

6. Listing of Key Issues and Documents for discussion [Item A.2 (c)]

The following items were listed as Key Issues and Documents for Discussion –

- Commonwealth Funding, University Admissions and Domestic Fee Paying Students. (*document A4, reports 2, 4 and 5, document A6.a report 8*)
- Senior Executive Appointments (minute 7.1 below refers) (*document A4 report 18*)
- Student Representation (minute 7.5 below refers) (*document A4 report 22*)

7. Vice-Chancellor's Report [Item A.4]

Council received the Vice-Chancellor's Report.

7.1 Senior Executive Appointments and Related Structural Changes

Council noted proposals to fill the remaining existing gaps in the Senior Executive of the University as set out in Appendix H to the report.

Council resolved to:

- establish a selection committee for two Deputy Vice-Chancellor roles consisting of the Chancellor, a Deputy Chancellor, the Chair of the Human Resources Committee, the Vice-Chancellor, the Deputy Vice-Chancellor (Academic), a Dean and at least one external person with expertise in the area, noting the importance of achieving gender balance;
- note the new Deputy Vice-Chancellor position descriptions;
- note the proposed arrangements for assignment of duties among the Deputy Vice-Chancellors and Assistant Deputy Vice-Chancellors; and
- note the decision to use executive search to support the appointment of the Deputy Vice-Chancellors.

7.2 Melbourne University Student Union Incorporated Nominees to University Bodies

Council adopted the **recommendation** that for 2005 the rights of appointment to University bodies previously held by MUSUI be exercised by the Interim Student Representative Committee and the rights previously exercised by the President of MUSUI be exercised by the chair of the ISRC.

7.3 Bio21 Molecular Science and Biotechnology Institute

7.3.1 Council noted from the report to Council from the February meeting of the Planning and Budget Committee (Document A.6[a], report 6) that the Bio21 Interim Board had agreed that it would be desirable for the President of the Academic Board to be added to its membership.

7.3.2 Council adopted the Vice-Chancellor's **recommendation** to add the President of the Academic Board to the Interim Board of the Bio21 Molecular Science and Biotechnology Institute.

7.3.3 Council noted that a detailed proposal regarding the future governance arrangements for its Institute would not now be submitted in April, but later in the year.

7.4 Appointment of Directors of AMEB (Vic) Ltd

Council adopted the **recommendation** to appoint the following persons for a further three year term on the Council of Directors of AMEB (Vic) Ltd:

- Mr Trevor Henley in accordance with Article 33.2.2, one director appointed from a list of persons nominated by independent schools; and
- Mr John Quaine in accordance with Article 33.2.7, two directors who are examiners or Specialist Panel members of AMEB.

7.5 Arrangements for Student Representation

Council noted the progress report from the Senior Vice-Principal attached as Appendix I to the Vice-Chancellor's Report.

Council resolved as follows:

- (a) to approve the revised timeline outlined in the report and its Attachment,
- (b) to confirm members of the *ad hoc* Council Working Group as listed in the report to provide advice to Council prior to its April 11 meeting, and
- (c) to advise the Student Representation Working Group that Council was in agreement that elections, for an interim Student Council only, could be conducted at the same time as a referendum on the proposed constitution for a new student representative body - voting would be conducted by paper, not electronic, ballot.

7.6 Land and Food Resources Progress Report

Council noted the report from Professor Larkins, Dean of Land and Food Resources, which was attached to the Vice-Chancellor's Report as Appendix D. In response to a member's query, Professor Larkins assured Council that directions on certain issues would be obtained from Council, to set a framework for community consultation regarding a strategic plan for the Faculty.

7.7 Template for Papers Submitted to Council

Council noted revised protocols for the preparation of papers for Council, Academic Board and University Committees, as set out in Appendix F to the Vice-Chancellor's Report. While the protocols might not be appropriate for strict application in every case, because of the nature of the subject matter or through the ability to assume certain background knowledge in specialist committees, they were generally to be adopted.

8. Administrative Committee [Item A. 5 (a)]

Council received the report of meetings 17/04, 1/05 & 2/05 of the Administrative Committee held on 15 December 2004, 19 January 2005 and 16 February 2005.

9. Planning and Budget Committee [Item A.6 (a)]

Council received the report of meeting 1/05 of the Planning and Budget Committee held 2 February 2005.

9.1. Proposal for an Affiliation Agreement between the University of Melbourne and the Walter and Eliza Hall Institute

Council adopted the **recommendation** to formalise the affiliation between The University of Melbourne and the Walter and Eliza Hall Institute, as set out in the agreement attached as Appendix 1 to the report.

9.2. Review of the Statistical Consulting Centre

Council adopted the **recommendation** for the continuance of the Statistical Consulting Centre.

9.3. Review of the Microanalytical Research Centre

Council adopted the **recommendation** for the continuance of the Microanalytical Research Centre.

9.4. Guidelines for the Formation and Management on University Centres

Council adopted the revised Guidelines for the Formation and Management of University Centres, as set out in Appendix 4 to the report.

10. Committee of Convocation [Item A.7 (a)]

Council received the report of meeting 10/04 of the Committee of Convocation held 15 December 2004.

11. Academic Board [Item B.1 (a)]

Council received the report of meeting 11/04 of the Academic Board held on 9 December 2004.

12. Academic Board [Item B.1 (b)]

Council received the report of meeting 1/05 of the Academic Board held on 24 February 2005.

12.1 Award of Honorary Degree of Doctor of Architecture

Council adopted the Board's **recommendation** to the award of an honorary degree of Doctor of Architecture to an individual whose citation was tabled.

12.2 New Courses

Council adopted the Board's **recommendation** for the introduction of the following new courses:

- Master of Engineering in Distributed Computing (Appendix A)
- Master of Engineering Management (Appendix B) which is part of a new Graduate Engineering Management program and which also includes new streams in Engineering Management in existing Graduate Certificate, Graduate Diploma and Masters Courses.

12.3 New Student Awards

Council established the following student awards:

- Taxpayers Australia/Jack Just Memorial Prize in Taxation Law (Appendix C)
- Taxpayers Australia/Jack Just Memorial Prize in Taxation for Business Decision Making (Appendix D).

12.4 Selection Matters

12.4.1 Alternative Entry Pathways

Council adopted the Board's **recommendation** that selected subjects from the University of Malaysia Foundation Program and the HELP Malaysia American Degree Program be deemed equivalent to VCE entry prerequisites, as set out in Appendix E to the report.

12.4.2 Academic Board Resolutions on Selection

Council approved Academic Board Resolutions on Selection for the Master of Engineering in Distributed Computing, the Master of Engineering Management and associated Engineering Management streams in the Graduate Certificate in Engineering and the Graduate Diploma in Engineering, as set out in Appendix F to the report.

13. Finance Committee [Item B.2 (a)]

Council received the report of meeting 1/05 of the Finance Committee held on 10 February 2005.

13.1 The Carrick Institute for Learning and Teaching in Higher Education – Proposed Location at Level 3, 45 Barry Street, Carlton

Council adopted the following **recommendations**:

- (a) the University enter into a sub-lease of an area of approximately 420 square metres on Level 3, 45 Barry Street, Carlton for the purpose of accommodating the Carrick Institute for Learning and Teaching in Higher Education;
- (b) rent be payable for a period of five years with an option for a further three years at a rental of \$1 per annum if demanded plus a proportion of the outgoings payable by the University apportioned according to the percentage of floor space to be occupied by 420 square metres out of a total of 1,160 square metres being 36%;
- (c) the Carrick Institute be responsible for the fitout of the premises and that the fitout revert to the ownership of The University of Melbourne on expiration of the lease or the extension of the lease,
- (d) the Carrick Institute be offered car spaces in the building at the same rental paid by the University; and
- (e) the Vice-Chancellor be authorised to execute all and any Deeds under seal if required.

13.2 Proposed Lease at 205-211 Grattan Street, Carlton to Melbourne Ventures Pty Ltd

Council adopted the **recommendation** that the University enter into a five year lease of 205-211 Grattan Street to Melbourne Ventures Pty Ltd, with a five year option period at the option of Melbourne Ventures Pty Ltd at a rental of \$1 per annum if

demanded with Melbourne Ventures Pty Ltd having the responsibility to reimburse the University any direct outgoings, and that the Vice-Chancellor be authorised to execute all and any documents under seal if required.

13.3 Changes to Regulation 17.1.R6 Purchasing Procedures and Delegations in Relation to Financial Matters

Council adopted the **recommendation** to amend Regulation 17.1.R6, Purchasing Procedures and Delegations in Relation to Financial Matters, to extend the delegated authority of the Director of the Veterinary Clinic and Hospital as outlined in Appendix B to the report.

13.4 Proposed Sale of 397 Toorak Road, Toorak

Council adopted the **recommendations**:

- (a) that 397 Toorak Road, Toorak be submitted to the market for sale by public auction at or above the Valuer-General's valuation, subject to the existing lease, and
- (b) that the Minister's prior approval under Section 41B of the Melbourne University Act 1958 be sought.

13.5 Revaluation of Assets

Council adopted the revaluation of Assets as set out in Appendix C to the report.

13.6 Proposed Purchase of 132-138 Leicester Street, Carlton

Council adopted the **recommendation** to purchase 132-138 Leicester Street, Carlton for the amount of \$3.6M plus GST.

14. Subsidiaries Sub-Committee [Item B.2 (b)]

Council received the report of a special meeting by circular resolution of the Subsidiaries Sub-Committee, held on 2 March 2005.

14.1 Proposed amendments to the Centre for Eye Research Australia Ltd (CERA) Constitution

Council adopted the **recommendation** to amend the Constitution of the Centre for Eye Research Australia Ltd as shown in Appendix A to the report.

15. Human Resources Committee [Item B.3 (a)]

Council received the report of meeting 4/04 of the Human Resources Committee held on 7 December 2004.

- 15.1** The Chair of the Committee in her oral report advised that, in reviewing the University processes for making appointments to chairs, the requirement for every chair selection committee to include an external member of Council had been questioned. She asked Council members who had views on how Council might best be kept in touch with senior academic appointments to make them known directly to herself or through the University Secretary.

16. Buildings and Estates Committee [Item B.4 (a)]

Council received the report of meeting 11/04 of the Buildings and Estates Committee held on 9 December 2004.

16.1 Dr Lochtenberg gave a brief oral report on behalf of the Chair of the Committee, and advised that May 9 was now the target date for submitting the Land Use Policy Framework to Council.

17. Legislation Committee [Item C]

Council received the report of meeting 1/05 of the Legislation Committee held on 28 February 2005.

17.1 Council made the following Statutes as detailed in the report:

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| (1) | Revocation of Statute 9.27 recommended by the University Secretary | <u>To cease affiliation with the Hawthorn Institute of Education Ltd (02/05)</u> |
| (2) | Repeal and re-enactment of Statute 11.5 recommended by the Academic Board | <u>To clarify unsatisfactory progress rules for postgraduate coursework students (01/05)</u> |
| (3) | Amendment of Statute 12.1 recommended by the University Secretary | <u>To provide for the regulation making power in the statute (42/05)</u> |
| (4) | Amendment of Statute 13.1 recommended by the University Secretary | <u>To amend the reference to the Institute of Land and Food Resources (30/05)</u> |

17.2 Council made the following Regulations as detailed in the report:

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| (1) | Amendment of Regulation 6.1.R7 recommended by the University Secretary | <u>To substitute a new Attachment A, the list of Centres for Research and Teaching and make reference to a new faculty and school. (13/05)</u> |
| (2) | Revocation of Regulation R6.12 – recommended by the University Secretary on the advice of the Trusts Manager | <u>To revoke for the purposes of consistency the Beaney Scholarships in Surgery and in Pathology (07/05)</u> |
| (3) | Making of Regulation R6.12 recommended by the University Secretary on the advice of the Trusts Manager | <u>To make consistent The Beaney Scholarships in Surgery and Pathology (08/05)</u> |
| (4) | Amendment of Regulation R6.26 recommended by the University Secretary | <u>To amend the reference to the Institute of Land and Food Resources (14/05)</u> |
| (5) | Amendment of Regulation R6.35 recommended by the University Secretary | <u>To amend the reference to the Institute of Land and Food Resources (20/05)</u> |

- (6) Amendment of Regulation R6.43 recommended by the University Secretary on the advice of the Trusts Manager *To update the terms of the Kilmany Scholarship* (09/05)
- (7) Amendment of Regulation R6.72 recommended by the University Secretary *To govern the Alistair Nicholson Memorial Scholarship* (04/05)
- (8) Amendment to Regulation R6.72 recommended by the University Secretary *To govern the Esther Rofe Award* (11/05)
- (9) Amendment of Regulation R6.72 recommended by the University Secretary on the advice of the Trusts Manager *To update the terms of the Ian Purves MacNeil Memorial Exhibition* (32/05)
- (10) Amendment of Regulation R6.72 recommended by the University Secretary on the advice of the Trusts Manager *To amend a reference in The Max Kohane Prize* (33/05)
- (11) Amendment of Regulation R6.72 recommended by the University Secretary on the advice of the Trusts Manager *To govern The Shelley Phillips Scholarship* (34/05)
- (12) Amendment to Regulation R6.72 recommended by the University Secretary on the advice of the Trusts Manager *To govern the John Inglis Lothian Memorial Prize, the Maurice and Helen Wood Memorial Scholarship, the Thomas and Effie Lothian Memorial Prize, the E.T. Heard Scholarship, the Lester Mitchell Award, the Glenormiston Scholarship, and the R.C. Webb Scholarship* (40/05)
- (14) Amendment of Regulation R6.90 – recommended by the University Secretary on the advice of the Trusts Manager *To update the terms of the Thomas and Elizabeth Ross Scholarship* (37/05)
- (15) Amendment of Regulation R6.110 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources* (15/05)
- (16) Amendment of Regulation R6.159 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources* (16/05)
- (17) Amendment of Regulation R6.195 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources* (17/05)
- (18) Amendment of Regulation R6.205 recommended by the University Secretary on the advice of the Trusts Manager *To correct the terms of The Arno Herpe Foundation* (05/05)
- (19) Amendment of Regulation R6.210 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources* (18/05)

- (20) Amendment of Regulation R6.215 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (19/05)*
- (21) Making of a regulation recommended by the University Secretary on the advice of the Trusts Manager *To govern the fund for the Longerenong Centenary Visiting Fellowship (38/05)*
- (22) Making of a regulation recommended by the University Secretary on the advice of the Trusts Manager *To govern the William Gamble Memorial Fellowship Fund (39/05)*
- (23) Amendment of Regulation 7.1.R2 recommended by the University Secretary *To amend the references in Schedule A of the regulation to the Institute of Land and Food Resources (29/05)*
- (24) Amendment of Regulation 7.1.R2 recommended by the University Secretary *To update the Sidney Myer Melbourne Symphony Orchestra Trust Regulation (36/05)*
- (25) Amendment of Regulation R7.75 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (21/05)*
- (26) Amendment of Regulation R7.86 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (22/05)*
- (27) Amendment of Regulation R7.117 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (23/05)*
- (28) Amendment of Regulation R7.134 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (24/05)*
- (29) Amendment of Regulation R7.136 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (25/05)*
- (30) Amendment of Regulation R7.155 recommended by the University Secretary on the advice of the Trusts Manager *To update the terms of The Wilfred Prest Travelling Fellowship (10/05)*
- (31) Amendment of Regulation R7.161 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (26/05)*
- (33) Amendment of Regulation R7.166 recommended by the University Secretary *To amend the reference to the Institute of Land and Food Resources (27/05)*
- (35) Amendment of Regulation R7.189 recommended by the University Secretary on the advice of the Trusts Manager *To update the terms of The University of Melbourne School of Botany Foundation (35/05)*

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| (36) | Amendment of a Regulation 7.197 recommended by the University Secretary on the advice of the Trusts Manager | <u>To update R67.197 -Dookie Farms 2000 Project Fund (28/05)</u> |
| (37) | Amendment of Regulation 12.1.R1 recommended by the University Secretary | <u>To update the name of a committee in relation to the delegation of powers relating scholarships (31/05)</u> |
| (38) | Amendment of Regulation 17.1.R6 recommended by the Finance Committee | <u>To update the regulation governing purchasing procedures and delegations in relation to financial matters (12/05)</u> |

17.3 Council noted an item approved by the Vice-Chancellor

- (32) Amendment of Regulation R7.165 recommended by the University Secretary on the advice of the Trusts Manager

To amend the membership of the Palladio Trust Committee (03/05)

18. Summary of Reports of matters dealt with by the Vice-Chancellor [Item D.2 (a) and D.2 (b)]

Council received the summary of reports on matters dealt with by the Vice-Chancellor, as set out in Items D.2 (a) and D.2 (b).

19. Report from the Melbourne Theatre Company Board of Management [Item D.5 (a)]

Council received the report for meeting 10/04 of the Melbourne Theatre Company Board of Management held on 10 December 2004.

20. Report from the Ian Potter Museum of Art [Item D.5 (b)]

Council received the report for the meeting of the Ian Potter Museum of Art held on 1 February 2005.

21. Asialink Annual Report 2004

Council received and noted the Asialink Annual Report.

22. The University of Melbourne's Draft Annual Report 2004

Council received the University's draft Annual Report. Members were invited to give their comments/feedback by 14 March 2005.

The meeting then closed.

Confirmed: _____

Dated: _____