General Management Committee

Minutes

Wednesday 15 June 2005
GENERAL MANAGEMENT COMMITTEE

Wednesday 15 June 2005

1. NOTICE OF MEETING

A meeting of the General Management Committee was held in the Meehan’s Restaurant Board Room, Hotel Grand Chancellor, Hobart on Wednesday 15 June 2005 commencing at 8.35am.

Mr Bob Campbell, of Tasmania Together, addressed members on the Five Year Review of Tasmania Together.

PRESENT:

Clr Lynn Mason  President
Lord Mayor Rob Valentine  Hobart City Council
Mayor Ross Hine  West - North West Region
Mayor Mike Downie  West - North West Region
Mayor Barry Easther  Northern Region
Clr Robert Legge  Northern Region
Mayor Deirdre Flint  Southern Region
Mayor Cathy Edwards  Southern Region

IN ATTENDANCE:

Mr Allan Garcia  LGAT
Mrs Liz Gillam  LGAT
Ms Christine Agostinelli  LGAT
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1.1 SUBJECT: CONFIRMATION OF MINUTES *

Mayor Mike Downie/Clerk Robert Legge

That the Minutes of the meeting held 6 April 2005, as circulated, be confirmed.

Carried

Minutes of the meeting of 6 April 2005 are at Attachment to Item 1.1.

Lord Mayor Rob Valentine entered the meeting at 9.37am.

1.2 SUBJECT: BUSINESS ARISING *

That the Committee receive the report on business arising from the previous meeting.

Received

Update of Policy items from the last meeting - not covered in this Agenda are at Attachment to Item 1.2.

1.3 SUBJECT: PRESIDENT’S REPORT

Clerk Robert Legge/Mayor Ross Hine

That the President’s report be received.

Carried

The President reported on her activities as follows –

April 7  Regional forum Brighton
April 15  Quadrant Board Meeting
May 9    Meeting with Dr Alomes, Code of Conduct assistance
May 14   Environment Minister’s Dinner
May 25-26 ALGA Board meeting, Canberra
June 1   Huon Valley Council
          Legislation Committee meeting
June 7-8 Future of Local Government Conference, Melbourne
June 10  Quadrant Board meeting
June 14  Meeting with the Hon Judy Jackson
1.4 SUBJECT: CHIEF EXECUTIVE OFFICER’S REPORT APRIL 2005 - JUNE 2005

That the Committee note the CEO’s report.

Aggregated Purchasing and Collaboration Opportunities
Insight – entered into Heads of Agreement with company to provide an after hours call centre service for those councils desiring such facility. Pricing is based on per call but aggregated calls reduce overall costs. System in place in WA and several councils already expressed strong interest. Association receives small commission for administration and marketing.

IXP3 – offering an online performance management system for employees. LGAT has entered into an arrangement to market and coordinate council interest. System offers significant benefits to councils in terms of tracking and reporting on personnel performance. While costs are deemed relatively high the benefits to councils can be significant. LGAT receives modest commission for marketing and handling interface.

Real Estate Institute of Tasmania – The Institute has developed a code of practice for its members’ signage and is intending to enforce these arrangements through a process of penalties. The requirements largely meet the signage requirements of planning schemes where councils have such arrangements in place. LGAT has endorsed the program and has “lent” its logo to the poster set that will be forwarded to all Institute members.

Interface with External Bodies
Pacific National Tasmania – met with Chief Executive Officer and others to discuss responsibilities in relation to level crossings, vegetation management, etc.

University of Tasmania – conducted a lecture on “Planning Challenges Facing Local Government” for environmental management students. Attended launch of UTAS vision hosted by University Council.

Local Government Forestry Consultative Committee.

Waste Management Association of Australia – gave presentation on Local Government attitude to concept of waste levy.

Forest Industries Association of Tasmania – discussions in relation to contributions by forest companies for road and bridge funding.

TCCI – briefed on requirements for review of President and Vice President emoluments.
Local Government Forums
Southern Waste Strategy Authority – met with Chair and CEO to discuss green waste position and reached amicable position on moving issue forward.

Northern General Managers – discussion in relation to waste management and broad range of policy matters.

Huon Valley Council – attended workshop with council to discuss current LGAT activities.

Civic Mutual Plus – attended Board meeting in Melbourne.

ALGA Board Meeting – attended ALGA Board Meeting in Canberra.

State Government Meetings
Director of Environmental Management – discussions on future green waste arrangements and processes associated with initiatives on noise announced in Budget.

Brand Tasmania forums – coordinated series of regional presentations by Brand Tasmania, Tourism Tasmania and Department of Economic Development.

OPCET/Department of Economic Development/ASU – discussions on skills shortages and phased in retirement.

Budget Lock Up – LGAT staff again participated in the closed session.

General Manager Water Resources (DPIWE) – discussions on water initiatives and upcoming reviews of legislation including waterworks clauses legislation

Tasmanian Road Safety Council.

Media Involvement
Interviews and media release on State Government launch of speed zone review.

Interviews on water quality and infrastructure following release of annual water quality data by DPH

Mayor Cathy Edwards entered the meeting at 8.55am.
2. POLICY

Policy Items for Discussion & Decision.

2.1 SUBJECT: LOCAL GOVERNMENT AMENDMENT ACT

That the Committee note the report.

Noted

It was noted that the Code of Conduct Regulations had been removed but that this would have no effect on the passage of the Local Government Amendment Bill.

Background
As Committee Members are aware, the amendments to the Local Government Act are through both Houses of Parliament and due to commence on 1 July 2005.

There have been some issues in relation to finalisation of the Regulations, a draft of which was released at the time the Local Government Amendment Bill was introduced into Parliament. Following advice from the Local Government Division that this draft was considered to be final, an urgent letter was written to the Minister pointing out that there had been a commitment for further consultation on the Regulations. Unfortunately, by the time the Minister’s response was received a considerable period had elapsed.

In the meantime Councils were asked to raise any concerns they had in relation to the regulations and a number of these were discussed with the Division, including the postponement of the introduction of the new section 337 certificate to enable further discussion in relation to its contents. However, the Association’s response on the Regulations has not been as well-structured or effective as could have been the case.

The Northern Midlands has also been actively pursuing a change to the Regulations in relation to the tabling of reports of Code of Conduct Panels in open council. The result is that the State Government has decided to remove the Regulations relating to Code of Conduct from the General Regulations pending further discussions.

It appears that other Councils may have raised issues directly with members of the Legislative Council. It is unlikely that the Subordinate Legislation Committee will consider the Regulations prior to their commencement. There is a possibility that when this takes place there may be a move to disallow some Regulations. At this time, the Association is unaware of any issues about which the majority of Councils feel strongly enough to positively support any disallowance motions, particularly as the disallowance of any Regulations is likely to cause a deal of confusion.
The State Government has agreed that the Association review the operation of Regulations after twelve months and this would seem the most appropriate way to address any issues outstanding, as well as any others that may arise.

On Friday the 3 June, the Division released to Councils the final version of the Meeting Regulations and an unofficial consolidated Local Government Act. The release of the General Regulations has been delayed by the amendments needed to remove the Code of Conduct provisions.

**Budget Implications**
Does not apply.

**Current Policy**
Does not apply.

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**2.2 Subject: Aboriginal Relations**

That the Committee note the action taken since the last meeting.

Noted

**Background**
A detailed discussion took place at the last GMC meeting in relation to the merits and possibilities of working more closely with the Aboriginal community. While a final position was not reached it was agreed that the matters be progressed steadily and that progress be reported to GMC.

As a first step the Association has written to councils seeking information on the present interface with the Aboriginal community. This may range from recognition actions such as flying the Aboriginal flag, recognising Aboriginal naming of places of significance or paying respect to the original landowners at the beginning of meetings; through to specific community services or forums that target the aboriginal community.

The intention of this collection is to better understand the relationship that councils presently have in order that consideration can be given to other opportunities or possibilities for furthering any relationships.

**Current Policy**
Does not apply.

**Budget Implications**
Does not apply.
2.3 SUBJECT: IMPLEMENTATION OF BUILDING ACT 2000

That the Committee note the report.  

Noted

Background
It is now nearly 12 months since the Building Act 2000 commenced operation.

Recently, there has been a need to contact councils in relation to the annual maintenance provisions in the legislation.

The discussions indicated that there is a range of issues arising out of the implementation of the Building Act causing concern to Councils. There was a very positive response by Council staff to the suggestion that they be canvassed on those issues. It was felt that it would be useful to then convene a workshop to address these issues in more detail.

Budget Implications
Project to be undertaken within usual staffing resources of Association.

Current Policy
Does not apply.

2.4 SUBJECT: ROADS REFERENCE GROUP

Mayor Deirdre Flint/Mayor Mike Downie

That the Committee note the action to establish a Reference Group comprising General Managers and Engineers.

Carried

Background
The Association has established a Roads Reference Group to consider the present issues impacting on the local road network in the state, the pressures on the asset, the problems that are arising and possible actions to resolve some of these matters.

The group was established following dialogue at the recent meeting of General Managers at St Helens. While it is widely recognised that increased funding from sources other than councils would improve the network, the significant task of the group is to identify present problems and consider means by which to tackle them and, ideally, overcome them.
Membership of the Committee
While the membership of the group has the potential to be fluid, the initial representatives that have been nominated are as follows:

- Greg Preece - Dorset
- Trevor Berriman - Central Highlands
- Geoff Cockerill - Huon Valley
- David Laugher - Tasman
- Bevan Eberhardt - Central Coast
- Grant Cameron - Break O’Day
- Gary Neil - Waratah Wynyard

Allan Garcia from the LGAT chairs the group.

Scope
Terms of reference have not been detailed for the Reference Group at this time. Its broad role is to identify key issues impacting on the local road network and assist the Association with strategies to address those matters. The breadth of consideration could range from funding and asset management arrangements through to relationships with industry and sourcing of materials.

It is acknowledged that the Reference Group and the resources available to the Association will not be able to address all matters identified immediately but it is proposed that some priority is given to certain issues and appropriate strategies developed and implemented.

Budget Implications
Does not apply.

Current Policy
The Reference Group will focus on key matters impacting on the local road network and a number of matters detailed in the Association’s strategic plan.

2.5 SUBJECT: GREEN WASTE DISPOSAL

That the Committee note the following report.

Noted

Background
The Association recently met with representatives of the Southern Waste Strategy Authority (SWSA) to determine a way forward in jointly addressing green waste disposal methods. Following this a joint position paper was prepared as a basis for discussion and negotiation with the Department of Primary Industries, Water and Environment (DPIWE).
In the meantime, the Association completed its desktop study into alternative methods of green waste disposal. As previously reported, the findings indicate 3 disposal options which may be worth investigating as longer-term strategies for managing green waste: composting, chipping and incineration for the purposes of energy recovery. The study also notes the absence of policy development on green waste management at the State level and suggests that an effective longer-term strategy relies on leadership, cooperation and a concerted effort across government. It suggests that removal of traditional modes of green waste disposal (burning) needs to be matched by a commitment on the part of the State Government to work with Local Government to explore viable alternative disposal options, possibly through the recently established High Level Officials Group on waste management.

Notwithstanding the need for cooperative policy development, it is clear that none of the 3 options identified in the study offers a satisfactory short-term solution to the current problems experienced, particularly by smaller rural councils, in disposing of green waste. Thus it is suggested that the Association continue to work with the State Government and SWSA to develop an appropriate regime under which the restricted burning of green waste can continue to occur.

It was from this position that the Association and SWSA recently held discussions with the Director of Environmental Management. The upshot of these discussions is that, despite his preferred position not to sanction any form of green waste burning by Councils, the Director has indicated a willingness to consider a proposal from the Association that will allow a small and finite number of rural Councils, who currently have no other disposal options, to conduct limited green waste burns in accordance with strict guidelines. It was agreed that the Association would write to all Councils seeking a firm indication of those who fitted this category. It should be noted that the Director is firmly opposed to urban Councils conducting burns and will not allow burning to be conducted at landfills or waste transfer stations.

Once the Association has a clear picture of Council needs it will submit a proposal to the Director.

Budget Implications
Does not apply.

Current Policy
As above.
That Members note the following report.

Background
This year’s National Local Roads and Transport Congress will be held in Launceston on 3-5 July 2005 at the Grand Chancellor Hotel.

The theme this year, *Unifying Local Government’s Transport Agenda*, is aimed at seeking to bring together both urban and rural interests and achieving benefit for all of Local Government. Concurrent sessions cover topics of interest to both metropolitan and country councils. Registrations to date show strong interest from both areas.

The 2004 Congress indicated a desire for strong political representation at this year’s event with the following high profile politicians confirmed to participate:

- The Hon Jim Lloyd, MP, Federal Minister for Transport and Regional Services;
- The Hon Brian Green, MHA, Minister for Infrastructure, Energy and Resources, Tasmania
- Senator Kerry O’Brien, Federal Shadow Minister for Local Government
- Mr Kelvin Thomson, MP, Federal Shadow Minister for Urban Development and Roads

The Deputy Prime Minister has had to withdraw from the event due to requirements to be Acting Prime Minister during the period of the congress.

Lynn Mason will be opening the Congress and key speakers from industry organizations and Local Government are now confirmed.

Approximately 500 people are expected to participate in the Congress with approximately 30 registered for attendance from Tasmania at this stage.

The President, Vice President and Chief Executive Officer are attending from the Association.

Budget Implications
Does not apply.

Current Policy
Does not apply.
2.7 SUBJECT: GENERAL POLICY DISCUSSION

That Committee members note the intent of this session and contemplate any matters that they consider worthy of raising.

Mayor Edwards commented on the upkeep of State owned infrastructure and raised concerns that the levels of funding necessary to maintain adequate standards was not being achieved. General discussion followed.

It was asked that LGAT promote to councils an awareness of The Refugee Council of Australia.

Background
This is a standing agenda item intended to allow members the opportunity to raise any matters of strategic policy not addressed elsewhere in the agenda.
3. PROJECTS & SERVICES

Projects & Services Items for Comment and Decision.

3.1 SUBJECT: PRE-ELECTION WORKSHOPS

That the Committee note the workshop schedule and indicate their desire to be involved in the presentations.

Noted

All members of GMC indicated they would encourage people to attend the workshops and that they were also willing to attend the sessions in their respective areas to offer insight into the role of an Elected Member.

Background
Prior to each Local Government election a series of pre-election workshops are conducted for intending candidates around the state. The workshops are held on a regional basis in the early evening and the Association is assisted in their delivery by the Tasmanian Electoral Commission and the Local Government Division.

The workshops have been scheduled for July this year with the venues and dates as follows:

- 11 July - Civic Centre, Burnie
- 12 July - Inveresk Tramsheds, Launceston
- 13 July - Rydges Hotel, Hobart

All sessions will run from 5.30pm until 7.30pm.

The broad framework covers the role of a councillor and the council, the electoral process and pertinent but high level legislative matters that impact on the position. It is intended this year to have at least one current councillor available at each venue to provide a brief overview of what it means to be a councillor in terms of the experience, the time required and “a day in the life”.

Advertisements will be placed in all daily newspapers in late June although it is proposed to publicise the seminars during the conference to maximise free media. Councils will also be requested to publicise the workshops through any local mechanisms that may exist.

Budget Implications
The cost of the venues and advertising will be shared with the Local Government Division
Current Policy
The conduct of the pre-election workshop series is in accord with long standing practice of the Association.

3.2 SUBJECT: LOCAL GOVERNMENT SERVICE AWARDS CRITERIA

Mayor Mike Downie/Mayor Ross Hine

That the Committee formally ratify the variation to the Local Government Service Awards categories to establish a Life Membership (Long Service) Award and endorse the associated criteria required to achieve such an award.

Carried

Background
At the last meeting of the Committee it was resolved that a category be created within the Awards structure that recognises 40 years or greater service to Local Government in a management or elected capacity to the State of Tasmania deserving of life membership.

It was further agreed that the Chief Executive Officer would develop appropriate criteria that would be circulated out of session to Committee members. The criteria were developed and circulated with agreement reached on the following:

Life Membership (Long Service) Award

Nominations may be made by Councils or by Elected Members or General Managers and seconded by an Elected Member or General Manager. GMC may determine an award without a nomination

An Elected Member Or Officer of Local Government
- Minimum service of 40 years
- Served in a senior Elected Member or management role
- Contributed significantly to the betterment of Local Government at the local or regional level
- Achieved outcomes for Local Government and the community worthy of exceptional recognition

Notwithstanding the out-of-session agreement on the category and the criteria, it is considered prudent to formally ratify the amendment to the awards framework.

The inaugural recipient of this award will be Clr Terrence McKenna who will be presented with his award at the Annual Conference Dinner.
Current Policy
The variation augments the current Association recognition of service for Local Government employees and elected members.

Budget Implications
Does not apply.

Mayors Flint and Edwards left the meeting.

3.3 SUBJECT: LOGONS UPDATE & FUTURE DIRECTION

That the Committee note the following report.

Noted

Progress
The LOGONS Project will be completing on the 30 June 2005.

The Technical and Strategic consultants have completed independent analysis of the outcomes of the LOGONS Projects. The reports that have been produced by the independent consultants show that the LOGONS Projects have delivered substantial and measurable benefits to Tasmanian Local Government and have enhanced the overall online communication strategy. These reports are available from LGAT.

Local Government Online Services User Group
Following on from suggestions from several councils, the proposed Content Management System User Group will now encompass all online services delivered through the LOGONS Project. The first meetings of the LOGOUT (Local Government Online Users Tasmania) were held in Burnie, Launceston and Hobart with attendees from 14 councils.

The LOGOUT group met and discussed the governance, scope and purview of the group’s role. The meeting was held at Campbelltown was well attended. The next meeting is to be held in July 2005.

Budget Implications
The project costs are met from Australian Government grant funds.

Current Policy
The Association is committed to the provision of an aggregated, customer-focussed suite of online services that can be accessed by all Tasmanian ratepayers.
Future Direction
Brian Oliver has been appointed Technical Policy Manager. This newly created role will have responsibility for the management, support and administration of the assets produced through the LOGONS Projects, including:

- CouncilConnect;
- Councils At Work;
- UnityDCW Content Management System;
- LOGOUT User Group administration;
- Common Elements; and
- Local Laws Online Templates.

The role will also be responsible for identifying whole of sector technology opportunities and opportunities for collaboration between multiple councils. It is anticipated that this will include the development of tenders for head agreements for the delivery of technology within councils.

The role will also be responsible for assisting councils to develop effective ICT strategies that support and enhance organizational strategies.

As this is a new role, LGAT will be refining the responsibilities of the role to satisfy the emerging sectoral ICT needs.

3.4 Subject: NRM Update

That the Committee note the following report.

Noted

Background
The NRM Strategies and associated Investment Proposals are still with the relevant Federal Ministers awaiting approval. As the Australian Government is required to allocate Natural Heritage Trust (NHT) monies before the end of the financial year, an announcement on the Investment Proposals is expected in the next 2 weeks.

Upon approval of the Investment Proposals the NRM regions will initiate an Expression of Interest (EOI) process to allow proponents to put forward projects which address the priorities identified in the Investment Proposal. It is expected that the EOI processes in each NRM region will run in parallel.

Local Government Working Groups have been established in each of the three regions to analyse the Investment Proposals and provide a mechanism for Councils to identify and develop potential projects for submission to the relevant regional NRM bodies.
Budget Implications
Does not apply.

Current Policy
Does not apply.

3.5 SUBJECT: LOCAL GOVERNMENT REPRESENTATIVES

Mayor Barry Easther/Mayor Mike Downie

That the Committee note the following Local Government Representative appointments.

Carried

<table>
<thead>
<tr>
<th>Committee</th>
<th>Representative</th>
<th>Elected Member/Officer</th>
<th>Coordinating Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tasmanian Water Safety</td>
<td>Mr Rod Marshall</td>
<td>Officer</td>
<td>TWSC</td>
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Members were advised that the State Grants Commission Representative’s were soon to be renewed and letters would be forwarded to all councils with the relevant information.

Mayors Flint and Edwards re-entered the meeting.
4. FINANCES

Financial Items for Discussion & Decision.

4.1 SUBJECT: PROFIT & LOSS REPORT TO 6 JUNE 2005 *

Mayor Deirdre Flint/Clr Robert Legge

That the Profit & Loss Report to 6 June 2005 be received.

Carried

Background
A Profit and Loss Report to 6 June 2005 is at Attachment to Item 4.1 for consideration.

4.2 SUBJECT: CASH FLOW STATEMENTS *

Mayor Barry Easther/Mayor Mike Downie

That the Committee receive the reports for the months of March and April 2005.

Carried

Background
It is considered appropriate that the Committee should have access to information relating to the cash position of the Association detailing cash on hand, reserves, amounts held for projects and expenditures and revenues pending.

Detailed cash flow statements have been prepared for the information of the committee and are at Attachment to Item 4.2.

Budget Impact
As above.

Current Policy
The Association has a responsibility to manage the assets of the organisation in a responsible and transparent manner.
5. ADMINISTRATION

Administration Items for Discussion & Decision.

5.1 SUBJECT: SUPERANNUATION CHOICE OF FUND

That the Committee note the following report.

Noted

Background
Choice of superannuation fund is a new law that commences 1 July 2005 and gives employees the right to choose which of the complying funds their superannuation will be paid to.

The Association does already offer choice of superannuation fund to employees but to ensure compliance with Australian Taxation Office requirements we have requested all staff complete a “Standard Choice Form”.

Appropriate records will be maintained to show that Choice Of Superannuation Fund obligations have been met.

5.2 SUBJECT: AGM AND GENERAL MEETING MOTIONS

That the Committee nominate Committee Members to move the various procedural motions associated with the AGM and motions listed for debate at the General Meeting.

Noted

Background
A number of matters pertaining to the agenda for the Annual General meeting require someone to move and second the items. Given the nature of the items it is considered appropriate that these items are moved by members of the General Management Committee and that the person moving has the capacity to speak to them, if necessary.

The specific items are as follows:
- Minutes
- Financial Statements
- President and Vice President Emoluments
- Subscriptions
- Budget
- Reports of Board Representatives
The General Meeting contains two items being put forward by the Association – Local Government Sustainability and the National Packaging Covenant.

**Current policy**
Does not apply.

**Budget Impact**
Does not apply.

### 5.3 SUBJECT: DATE OF NEXT MEETING & MEETING SCHEDULE FOR 2005

That the Committee meet on Wednesday 17 August 2005, in Launceston, immediately following the General Meeting of the Association.

**Background:**
The Committee may review the meeting policy and dates at any time, along with any changes on the distribution, nature or extent of information provided to members and meetings of the Committee.

Dates for GMC and General Meetings for 2005 are as follows:

- 17 August: General Meeting
- 19 October: GMC Meeting
- 2 November: GMC Meeting
- 8 December: General Meeting

### 5.4 SUBJECT: OTHER BUSINESS & CLOSE

There being no further business, the meeting was declared closed at 10.20am.