

NEWSLETTER



NOVEMBER 2009



Coastal Zone In A Changing Climate

By Kim Cox – Inaugural National President of ARAMA

In past months ARAMA along with other industry groups in Australia has been addressing the issues of climate change and the plans by the global community to embrace the need for the implementation of key measures for the sound management of the future of the planet.

With the critical Copenhagen conference taking place in December, the world leaders will update the schedule and the plans for the implementation of emissions trading schemes and other measures to curb the adverse impacts of global warming.

As many ARAMA members are not only involved in the wise management of their buildings and properties, but also living in the beautiful coastal areas of Queensland which are vulnerable to climate change impacts, I believe that it is appropriate that we seek to provide a degree of leadership in this area of concern.

Just recently the House of Representatives Climate Change, Water, Environment and the Arts Committee released its inquiry report, **Managing our Coastal Zone in a Changing Climate: the Time to Act is Now.**

The report calls for new governance arrangements for Australia's coastal zone and makes recommendations to improve management of climate change and environmental impacts on the coast.

The key message that emerged from the inquiry is the need for national leadership in managing Australia's coastal zone in the context of climate change. The Committee's recommendations focus on how national leadership can be provided in a collaborative framework with state and local government and the need to better engage the community in this initiative.

This is an issue of national significance and realistically, for the sake of our future generations, we need to respond to the evidence that is being presented and commit as an industry and as individuals to making the practical contributions.

As you would be aware, some 80 per cent of the Australian population live in the coastal zone, and the concentration of Australia's population and

infrastructure along the coast makes us particularly vulnerable to climate change impacts, including sea level rise.

Climate change has added a new urgency to improving management of our coastal zone, underlining the message of the Committee's inquiry that **'the time to act is now'**.

Interestingly, the inquiry generated a high level of interest from the Australian community, with more than 100 written submissions and 180 exhibits and the Committee heard from over 170 witnesses at 28 public hearings held around Australia.

The report's 47 recommendations include:

- a call for national leadership
- a COAG Intergovernmental Agreement on the Coastal Zone, which defines the roles and responsibilities of the three tiers of government involved in coastal zone management
- urgent inquiries into legal and insurance issues relating to climate change impacts on the coastal zone
- improved emergency management arrangements in the event of a climate change related coastal disaster
- an awareness campaign to alert coastal communities to the key challenges facing the coastal zone
- a study into the vulnerability of the Torres Strait to the impacts of climate change
- a comprehensive national assessment of coastal infrastructure vulnerability to sea level rise
- establishment of a system of national coastal zone environmental accounts, expansion of coastal areas protected within Australia's National Reserve System, an increase in the number of coastal

wetlands classified as Ramsar sites and implementation of a National Shorebirds Protection Strategy

- establishment of a National Coastal Zone Database to improve access to information

As the report details, Queensland's highly developed and populated coastal communities, such as the Gold Coast and the Sunshine Coast, will be particularly affected by the predicted increase of sea level rise and floods.

With almost 250,000 vulnerable coastal buildings, Queensland is at the highest risk from all Australian states from projected sea level rise, coastal flooding and erosion. A doubling of carbon dioxide concentrations could increase the flood level associated with a 1-in-100 year flood in Cairns by 0.4 metres.

I believe that we at ARAMA can provide some practical leadership for our buildings and for our owners and as an example for others to take up the challenge the climate change represents.

We deliver very practical services as well as advice on a daily basis and we have a genuine opportunity to play a role in what is now seen as one of the biggest global challenges facing us all.

Can I take this opportunity to wish you and your staff and families all the best for the Christmas season. Unfortunately, I know it is a busy time for us all in helping others to enjoy the holiday season, but it is the industry we have chosen and it is our gift to our clients and guests.

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ARAMA Engages Chief Operating Officer

A letter to ARAMA members from Trevor Rawnsley

Greetings!

As you all have been advised, I recently commenced working with ARAMA in a newly created part time role supporting Executive Officer John Anderson.

My wife Kate and I have operated two management rights buildings over the last six years, one of which is a holiday complex and the other a mix of holiday and permanent letting. We have two children, Karl who is 22 has just completed a degree in Civil Engineering and Emma, 21 who is studying special needs primary education at Griffith University in Brisbane.

I have been a very satisfied ARAMA member since we purchased our first building in 2003 and for the last five years I have served as a volunteer committee member on the Gold Coast, the last two as its President. My involvement as a member of ARAMA has taught me so much about the industry that we operate in. I can attribute much of my success in Management Rights to the knowledge and confidence I have gained as an ARAMA member. I highly recommend getting involved on your local committee. Like most things, the more you put into ARAMA the more you will get out of it.

My new role with ARAMA was primarily created to provide more benefits to members by supporting the Executive Officer, the State Office and the Regional Branch Committees. I plan to work closely with each and to also engage with industry and the army of dedicated volunteers who make up our network of branches throughout Queensland.

In the initial stages, I will be assisting TA Fastrack, a consultancy firm, to facilitate the completion of their study into ARAMA's operations and the management rights industry. We hope to bring you these findings and their recommendations in the coming months.

There is much to do and it seems that the more we do the more there is to do! ARAMA is reliant on the goodwill of its members for its very existence. Everyone involved in the management rights industry is reliant on ARAMA to represent the best interests of its members and the industry as a whole. So, in essence we are interdependent.

Interdependence is a term which is familiar to me from my days working in the franchising industry. It is an acknowledgement that our industry is formed as a collection of independently owned and operated businesses and a realisation that we rely on each other to grow and strengthen our industry and our business.

A strong united industry, speaking with one voice for the benefit of all, is paramount to your business success.

We cannot do it without you.

Into the Future!

Kind Regards

Trevor

The Economic Life Expectancy of Strata Title Schemes

Excerpt from a paper presented by Kim Cox to the Strata and Community Title in Australia for the 21st Century III Conference

What happens when the cost of repairing and maintaining a building is no longer cost effective?

We didn't start to build high-rise buildings until the 60ies and 70ies but these earlier buildings are indeed now reaching 50 years of age and most were not designed and built for a long life. It is just a simple fact of arithmetic that at some point, it is cheaper to demolish and rebuild than it is to repair, maintain and upgrade. The cost of upgrading and/or retrofitting old cabling for electrical systems and piping for fire and hydraulic systems can be prohibitive.

The difficulty in a community strata scheme is that to terminate a scheme and demolish a building a resolution without dissent is needed. Not every owner has to support the proposal but the proposal fails if one owner votes against it. While such a resolution may be an appropriate requirement to protect owners on some issues, I feel it does not work and has very little chance of being successful for the termination of schemes.

The frustration of redevelopment being rejected by one or two owners results in maintenance budgets becoming meaningless. The complex degenerates into "ghetto" status as it no longer attracts good tenants, units

are increasingly difficult to sell unless being bought by a speculator who is consolidating an interest in the complex and value of each lot falls.

It is of course quite subjective what the life expectancy of a building is. Some buildings are reinforced concrete constructed to high standards whilst others are light weight and even pre-fabricated design. Thus, individual buildings will differ and it is my opinion that the developer should "tag" a building with an indicative "economic life" which may be 25/30/50 or even more years.

When the economic life is part of the disclosure, the expectations for each owner during the life of the building are clear. Maybe the termination requires a resolution without dissent until, say, 90 percent of the economic life is reached and then a lower requirement to terminate the scheme and redevelop the site completely. The requirement may be higher than a special resolution and possibly 85 percent of those voting and no more than 10 percent of those entitled to vote, voting against.

The South East Queensland Regional Plan and other Urban Renewal plans require massive redevelopment programs in our major cities and towns.

What is the process to do that in a strata title environment?

The problem with this of course is that the extinguishment of a scheme is a "resolution without dissent". Some of the lawyers I have discussed this issue with appear to recommend that developers disclose an indicative "life" when the building is opened and in this way, unit owners or prospective purchasers can "see" when (time wise) the building may be demolished and the site redeveloped. This may impact upon pricing.

How do we face this fundamental consideration in an orderly fashion and ensure that we are able to please all parties? The current requirements only ensure we have poorly-maintained buildings once owners recognise that refurbishment is not a valid option. We as ARAMA need to work towards resolving these issues.

ARAMA Grants Life Membership to Del Linkhorn and Gerry Lewis

At the recent annual general meeting of the ARAMA Sunshine Coast branch Del Linkhorn and Gerry Lewis were recognised for their commitment and long service to the industry with a life membership awarded to each of them by ARAMA State Management Committee, representing ARAMA branches throughout Queensland.

In 1995 ARAMA was providing resident manager services to small, medium and larger complexes on the Gold and Sunshine Coasts with merely 200 members. Del, a former body corporate manager, and Gerry, a specialist in the sale of management rights, took up the challenge of establishing a recognised training course for new resident managers,



Photo: Jason Dougherty/APN

providing a series of evening courses in conjunction with the Cooloola Sunshine Institute of TAFE.

The initial 12-session, one night a week course covered aspects of the controlling legislation, the old *Building Units and Groups Titles Act* which today has been replaced by the *Body Corporate and Community Management Act*, together with a series of practical lectures by experienced industry specialists.

Each year since then, Del and Gerry have set about reworking and delivering the course to help new managers, often husband and wife teams, to better integrate into their new profession. After a few years, the administrative support for the course was operated in the name of ARAMA and Del and Gerry have continued to find course participants, select suitable topics and lecturers and arrange all the details that a course of this nature requires.

Winds of Change - ARAMA moves into 2010

This year has seen many changes for our Association which has been functioning well over the past 17 years, soon entering "adult" status and needing some new faces and initiatives. Immediate past President of the Gold Coast branch Trevor Rawnsley has taken up the new role as Chief Operating Officer to support our Executive Officer John Anderson and broaden services provided to members.

ARAMA has engaged TA Fastrack Consulting to look at the manner in which ARAMA operates and prepare recommendations on the structure needed for ARAMA to discharge better its services to members. Some operating changes have been made on an ad hoc basis but a more integrated review of our operations should ensure the future viability of ARAMA. ARAMA Queensland has grown to approximately 1,000 members and now needs to support its volunteer committee members with more

professional officers who can contribute much more time and direct involvement in the decision making process of governments.

ARAMA would like to take the opportunity to welcome all new members to the branch committees and thank all members who so unselfishly contribute their time for other members in our Association.

Thank you all!



ARAMA State AGM 2009

At the recent 18th State AGM in September 2009 Kim Cox has been re-appointed as State President for the twelfth year, with the plan to hand over the role within the year to a new President who will drive the strategic review process and lead ARAMA into the next decade. Chris Ward has been appointed as Vice President and Executive Officer John Anderson continues his commitment to our members and the industry, also being Treasurer.

ARAMA Sunshine Coast AGM

*A report by Maria Duke,
ARAMA Sunshine Coast President*

The 2009 Sunshine Coast meeting was not only an opportunity to network with members from all areas of the Sunshine Coast but also a gathering to attend to the serious business of the Annual General Meeting. With 95 Sunshine Coast members who were welcomed to the new events function centre at the RSL Maroochydore on Wednesday, 12 August, the ARAMA Sunshine Coast branch was happy to welcome both State President Kim Cox and State Executive Officer John Anderson who were guests for the evening.



Kim and John spoke on the contribution of Del and Gerry in delivering industry knowledge and skills to new managers. They were Committee members when those first Training Nights for new managers were arranged by Del Linkhorn and Gerry Lewis every year since 1995. Over the following years there have been new speakers and new managers but Del and Gerry have been at the helm keeping members on track by arranging the best industry advice from well respected speakers.

So it was with great pleasure that the State Committee adopted the Sunshine Coast recommendation to grant Life Membership to Del Linkhorn and Gerry Lewis. Kim and John presented the awards on behalf of the Association.

ARAMA Brisbane AGM

*A report by Gayle Jensen,
ARAMA Brisbane President*

2009 has been a year of some major legislative changes in Residential Law. One major event for the Brisbane Branch was a well attended combined meeting in June where a representative from the RTA spoke in length about tenancy changes and provided some useful information on how to develop appropriate procedures. We have endeavoured to continue to present updated information to our members at the weekly zone meetings as well as the regular combined meetings and we encourage all members to attend and support the efforts of their Committee.



I would like to take this opportunity to thank our outgoing President, Brydon Halliday, who has been a catalyst in the development of ARAMA (then QRAMA) in Brisbane. Brydon's valuable input over a period of many years has helped to make ARAMA the valuable management tool we have today.

As newly elected President, I would like to say, on behalf of the Committee and Brisbane branch members, a sincere thank you to Brydon and we wish him the best in his next challenge. Brydon will continue to manage access to the website www.realestate.com.au for our members and we are most grateful to him for this valuable service.

A new Committee is always a good time to review current methods of how best to provide professional services and support to members. The new Committee comprises members from all Brisbane zones. The aim of this year's Committee is to continue to provide quality management rights industry speakers and provide mentoring programs for new managers as well as ongoing information and support for all members.

We welcome Trevor Rawnsley in his new role as ARAMA Queensland's Chief Operating Officer. We look forward to working with him and with other Queensland branches to better tackle the challenges of management rights in today's frequently changing climate.

ARAMA Gold Coast AGM

*A report by
Chris Ward,
ARAMA
Gold Coast
President*



We have just elected our new committee with some ladies stepping up to keep an eye on the old boys!

With just one meeting under our belt it is apparent that some fresh energy is available and the work load will be spread wider. One major task ahead is attracting quality hot topic speakers. Not only does this help with finances but naturally attracts more members to our monthly dinners with the end result being better informed members.

The committee members 2009/10 are:

- Chris Ward: President
- Ian Burt: Vice President
- Jenny Hughes: Secretary
- Pam Ryall: Treasurer
- Committee members: Kevin Francis (back for more), Morag Wynne, Graham Christensen, David McMinn, Geoff Fennell

Even though Trevor Rawnsley has "left the building" we are sure in his new role with ARAMA he will not be too far away. Congratulations to Trevor on his new appointment. We know what he is capable of when his mind is let loose!

The Committee is looking forward to continue our huge success with branch functions such as the Hot Topic Series. In September we had 100 members attending a presentation by OFT satisfying us that our members enjoy the events and presentations.

Gold Coast representatives recently attended the Tourism Futures Conference and commented how informative it was.

Last minute bookings are continuing to be the way ahead and the information was clear that an optimised modern website is imperative.

The Griffith Conference was also attended and found to be of great interest. The future is defiantly in community living and Queensland is in fact leading the way in strata and community living.

How to Avoid Ruckus

By John Mahoney, Mahoney Lawyers

The last 18 months have seen an escalation in disputes to levels I have not seen since I have been involved in the industry (nearly 20 years). There are many reasons for this and examining those would be worthy of an article in itself but the global financial crisis is probably the main reason.

We currently have disputes about remuneration reviews, performance issues, renewal of agreements, extent of duties and specialist contractor duties and various others.

Avoiding conflict is not always possible but there are a few things that all managers can do to limit the likely conflict they will face.

To me, one of the most important things to do is to constantly reinforce to your owners what a great job you are doing, particularly your investor owners. Telling owners about that is just as important as actually doing the great job in the first place. Communicate that through your newsletters each month, or a brief flyer

with your monthly statements. Send some photos of the complex, or of their unit if you have replaced furnishings or fittings. Tell owners how good your occupancy levels are in comparison to others. Let them know what you have been doing in relation to marketing. Let owners know what major items of work you are undertaking and how much effort you are putting in for them.

It is important to make sure that the owners are aware that you as the manager are the one responsible for the way the complex is presented, and for all the good things that are going on at the complex. Take charge of as much as you can to avoid having others usurp your authority. You want owners to know

that you have your finger on the pulse and you are the one that makes things happen. One day you will need the owners' support and you want them to believe you before anyone else.

Actively seek out owners who appreciate what you do for Committee positions. Lobby your owners to vote for the Committee nominations that you know will work with you, not against you. There is no restriction on you lobbying owners to vote in a certain way.

If conflict does arise, get on top of it straight away. Do not let it fester. Approach the person or person concerned and talk the issues through. Be careful not to go on the attack unless



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Maroochydore	Rayeleene Elston	07 5450 3883
Noosa	Simon Neuwirth	07 5430 7491
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Whitsundays	Steve Nassios	07 4948 7110
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Townsville	Mark McRae	07 4722 1281

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Developing Skills on the Sunshine Coast

Earlier this year Sunshine Coast ARAMA in association with Sunshine Coast TAFE developed a Cert III in Tourism aimed specifically at developing the skills of resident managers. The intention was to have course content that resident managers could utilise in their office straightaway, and to see an effect on their bottom line performance.

Leonie Murray and Susan Maynard from Sunshine Coast TAFE used their years of firsthand experience in the accommodation industry to develop content that was not only practical but also relevant to resident managers. The course was divided into three workshops to be completed over seven Wednesday nights. Certain areas of the course generated greater interest especially those areas concerning online sales and selling skills.

The first workshop called Communication and Leadership imparted knowledge about how to communicate efficiently to customers and staff and how to improve leadership skills. Part two (Sales and Marketing) was designed to learn the tools needed for maximizing sales through online marketing and personally by presenting oneself effectively in the smaller or wider public. Last, the Tourism and Industry Knowledge Workshop procured details of successful front office organization, improved workplace health and safety and security procedures and how to make the most of the tourism industry.

ARAMA Sunshine Coast is pleased that TAFE and our branch will conduct more of the workshops in early 2010. Details will be distributed to members via information nights planned for early in the new year.

the circumstances demand that. Deal with the issues raised calmly and rationally.

Be totally familiar with the content of your Agreements and make sure that you are doing everything that is required of you. Get any registers in place - master keys, service contractors (fire safety, lifts etc). Make sure you have all necessary systems in place – even if your Agreement does not have a schedule of duties setting out daily, weekly, monthly etc duties, make one up yourself and stick to it. Do not give your opponents any opportunity to find valid fault with what you are doing or not doing.

Document everything that could be contentious. Send emails to confirm issues that you have discussed or to confirm instructions you receive where there is a possibility for confusion or misunderstanding in the future.

If your Agreement provides for the body corporate to have a nominated representative to liaise with you, make sure that one is appointed. That way you only have to deal with one person and not a number of people with perhaps conflicting ideas about what you should be doing. If your Agreement does not provide for a single liaison person, ask the committee to appoint one anyhow for efficiency and accountability purposes.

Remember that your owners are your boss. Treat them with respect and diplomacy. Listen to their concerns and complaints, show them empathy when justified and firmly but politely tell them if you do not share their view.

In my article in the next issue I will give you my thoughts on dealing with conflict when it arises.

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ARAMA Conducts Electrical Survey

In June 2009 ARAMA invited members to participate in an online survey to gauge the number of units that had safety switches installed on power and light circuits. The purpose of undertaking the survey was to assist the Queensland Government better understand the number of units that may not have a safety switch installed. All members were invited and ARAMA is pleased that over 33 percent of members have provided us with relevant information.

The survey allowed each member to identify the age of their building thereby categorising them into one of three groups – those with the planning approval date prior to March 1992 (116 buildings), the planning approval granted between April 1992 and June 2000 (150) and all after July 2000 (113). For legislative reasons all buildings with planning approval after July 2000 should have safety switches on both power and light circuit hence their data was not needed.

Safety Switches on Light Circuits in Surveyed Buildings built between April 1992 and June 2000*

	Number of Units	Percentage
Total Number of Units with Switches	3,616	65.77%
Total Number of Units without Switches	1,793	32.61%
Total Number of Units Not Sure	89	1.62%
Total Number of Units	5,498	100%
Total Number of Buildings Surveyed	107	100%
RTA Lease with Light Switch	1,902	34.60%
RTA Lease without Light Switch	809	14.71%
Holiday Let with Light Switch	1,036	18.84%
Holiday Let without Light Switch	500	9.09%
Owner Occupier with Light Switch	678	12.33%
Owner Occupier without Light Switch	444	8.08%
Not Sure	129	2.35%
	5,498	100%

Safety Switches on Power Circuits in Surveyed Buildings built before March 1992*

	Number of Units	Percentage
Total Number of Units with Switches	2,931	87.21%
Total Number of Units without Switches	170	5.06%
Total Number of Units Not Sure	260	7.73%
Total Number of Units	3,361	100%
Total Number of Buildings Surveyed	87	100%
RTA Lease with Light Switch	697	20.74%
RTA Lease without Light Switch	1	0.03%
Holiday Let with Light Switch	1,559	46.39%
Holiday Let without Light Switch	107	3.18%
Owner Occupier with Light Switch	655	19.49%
Owner Occupier without Light Switch	82	2.44%
Not Sure	260	7.73%
	3,361	100%

Safety Switches on Light Circuits in Surveyed Buildings built before April 1992*

	Number of Units	Percentage
Total Number of Units with Switches	1,581	56.81%
Total Number of Units without Switches	874	31.40%
Total Number of Units Not Sure	328	11.79%
Total Number of Units	2,783	100%
Total Number of Buildings Surveyed	73	100%
RTA Lease with Light Switch	424	15.24%
RTA Lease without Light Switch	80	2.87%
Holiday Let with Light Switch	768	27.60%
Holiday Let without Light Switch	529	19.00%
Owner Occupier with Light Switch	389	13.98%
Owner Occupier without Light Switch	265	9.52%
Not Sure	328	11.79%
	2,783	100%

*Source: ARAMA Qld Member Survey conducted in July 2009

Industry News

Pool Safety Laws Change

Legislation for ca. 600,000 Queensland swimming pools is to change with the first stage of the safety improvements to be introduced on 1 December 2009.

The first stage will only affect new residential pools with new pool fencing standards and mandatory inspections for new pools. It also includes CPR signage and the development of a model swimming pool register.

Stage two which is to be implemented later in 2010 has not been completely finalised but it is clear that it will affect existing swimming pools.

Various current pool fencing laws will be standardised to one, there will need to be child safety features installed around the pool area and more mandatory safety inspections will take place.

Most importantly for ARAMA members there will be a "wider application of state laws to include indoor pools and pools associated with hotels, motels, caretaker residences and caravan parks".

More details will be published on the website of the Department of Infrastructure and Planning and circulated to members once known.

Queensland Civil and Administrative Tribunal Formed

From 1 December 2009 a new Tribunal will combine 24 former individual tribunals as part of a reform of the Queensland justice system. The new Queensland Civil and Administrative Tribunal (QCAT) will include the Commercial and Consumer Tribunal and the Small Claims Tribunal which are the important ones for our industry. Deputy president of QCAT is District court Judge Fleur Kingham. For further information about QCAT's registry structure and news visit their website at www.qcat.qld.gov.au.

New Director-General for DEEDI

The Department of Employment, Economic Development and Innovation (DEEDI) has just begun its work in March 2009 and already Director-General Peter Henneken is introducing the new Director General Ian Fletcher who will commence his role this month.

DEEDI was created through the integration of nine former departments or parts of departments. DEEDI brings

together in one place a focus on employment growth through the key economic drivers of mining and energy, primary industries and fisheries, tourism, employment and regional development and trade. DEEDI is also responsible for the regulation of liquor, gaming, racing, fair trading, biosecurity and mine safety.

Sunshine Coast Water Restrictions

From 1 December 2009 tourism accommodation providers on the Sunshine Coast have to comply with water saving strategies implemented by the Queensland State Government. Already in place in Brisbane and the Gold Coast, water conservation messages have to be displayed in every bathroom in holiday accommodation and must contain the message to spend less than 4 minutes in the shower, turn off the tap while brushing teeth or shaving and hang towels if washing is not needed. Stickers containing this information have been printed by ARAMA previously and are available to members free of charge. Email Robbie Judge sunshinecoast@arama.com.au or print graphics from the Queensland Water Commission's website: <http://www.qwc.qld.gov.au/Visitor+accommodation>

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