

30 August 2021

Post-Election Report

Construction, Forestry, Maritime, Mining and Energy Union

Construction and General Division -
Victoria-Tasmania Divisional Branch
Insufficient Nominations election
E2021/105

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Election(s) Covered in this Report

Organisation: CFMMEU - Construction and General Division - Victoria-Tasmania Divisional Branch
Election: Insufficient Nominations
Election Decision No/s: E2021/105

Rules

Rules used for the election:

105N-BWIU: Incorporates alterations of 25 May 2021 [R2021/74]
(replaces rulebook dated 10 February 2021 [R2020/204])

Rules difficult to apply/interpret: No

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): Yes
Details:

- The rules of the Division set out specific dates for the conduct of the election. Covid-19 compromised the ability of relevant stakeholders to have a full opportunity to participate in the election. To ensure stakeholder participation subparagraph 193(1) (b)(ii) of the Act has been applied and alternative dates for the conduct of the election have been fixed.
- To ensure that stakeholders can lodge nomination forms during COVID-19, subparagraph 193(1) (b)(ii) of the Act has been applied. Nominations may be lodged via AEC portal and email only.
- Rule 38 (q) of the Union state that ballot closes fourteen days after opening. Due to the slowed Australia Post delivery times subparagraph 193(1)(b)(ii) of the Act will be applied this period will be extended to 28 days.

Signed

Tiffany Nguyen, Returning Officer
Australian Electoral Commission
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P: 02 9375 6395
30 August 2021

Attachments

A. Declaration of results for Uncontested Offices – VIC/TAS

Construction, Forestry, Maritime, Mining and Energy Union
Construction and General Division - Victoria-Tasmania Divisional Branch
DECLARATION OF RESULTS - E2021/105
Uncontested Offices

Insufficient Nominations Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

Metropolitan Melbourne Zone - Carpenters

Divisional Branch Council Members (7)

Candidates

BOTSARIS Emilio
BUTTIGIEG Luke
CILIA Shane
DONNELLY Sean Paul
GRGUREVIC Antony
MACARO Valerio
MONTEBELLO Matthew

Metropolitan Melbourne Zone - Painters/Signwriters

Divisional Branch Council Members (4)

Candidates

EDWARDS Trent
KRIZAN David
LONCAR Peter
MARKULIN Neven

Metropolitan Melbourne Zone - Fibrous Plasterers/Fibrous Plasterer Industry Members

Divisional Branch Council Members (2)

Candidates

WU Yong
XU Guang Liang

Melbourne Metropolitan Zone - Crane Operators; Rigger Dogman; Plant and machine operators; Boiler attendant/engine driver; Production worker (metal); Concrete pump operators; Forklift operators; Hoist operations and Drilling/piling

Divisional Branch Council Members (7)

Candidates

AIRD Scott
CRNAC Ilija
FITZPATRICK Ashton
MCGOWAN Shane
PIDOTO John
ROSS Shane
SIMIONI Daniel

Melbourne Metropolitan Zone - Bricklayer; Roof-tilers; Stonemasons; Wall and floor tilers and Solid Plasterers

Divisional Branch Council Members (5)

Candidates

FARRELLY Malachy

FARRELLY Michael

KARLUSIC Mick

SAMARDZIC Simon

SAMARDZIC John

Geelong Zone

Divisional Branch Council Members (1)

Candidates

MCCANN Rachel

Central Victoria Zone

Divisional Branch Council Members (1)

Candidates

FLEMING Brett James

Northern Victoria Zone

Divisional Branch Council Members (1)

Candidates

MCCLURE Cameron

Victoria-Tasmania Divisional Branch

Divisional Branch Delegate to Divisional Conference (1)

Candidates

COLINA Ivan

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Tiffany Nguyen
Returning Officer
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24/08/2021



DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

Construction, Forestry, Maritime, Mining and Energy Union (E2021/105)

MR STEENSON

SYDNEY, 7 JUNE 2021

Arrangement for conduct of election.

[1] On 18 May 2021 the Victoria-Tasmania Divisional Branch of the Construction and General Division of the Construction, Forestry, Maritime, Mining and Energy Union lodged prescribed information, and on 7 June 2021 lodged amended prescribed information, with the Registered Organisations Commission for an election to fill the following offices, due to insufficient nominations received in the scheduled election for a new term of office (**E2020/95**):

Divisional Branch Council Members from the following electorates:

Melbourne Metropolitan Zone:

Carpenters (7)

Painters/Signwriters (4)

Fibrous Plasterers/Fibrous Plasterer Industry members (2)

Crane Operators; Rigger Dogman; Plant and machine operators;
Boiler attendant/engine driver; Production worker (metal); Concrete
pump operators; Forklift operators; Hoist operations and Drilling/piling (7)

Bricklayer; Roof-tilers; Stonemasons; Wall and floor tilers and
Solid Plasterers (5)

Geelong Zone (1)

Central Victoria Zone (1)

Northern Victoria Zone (1)

Divisional Branch Delegate to Divisional Conference (1)

[2] I am satisfied that an election for the abovenamed offices is required to be held under the *Fair Work (Registered Organisations) Act 2009* (**RO Act**) and the rules of the organisation

and, under subsection 189(3) of the RO Act, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE COMMISSIONER

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PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Robert Graauwmans being the President of the Victoria-Tasmania Divisional Branch of the Construction & General Division of the Construction, Forestry, Maritime, Mining and Energy Union (**CFMMEU**) make the following statement:

1. I am authorised to sign this statement containing prescribed information for Victoria-Tasmania Divisional Branch of the Construction & General Division of the Construction, Forestry, Maritime, Mining and Energy Union.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. Insufficient nominations were received in an earlier election(s) and the declaration/s of results is/are attached.
5. No rule alterations are pending that will impact the election.
6. In relation to Delegates to Divisional Conference, the number of Delegates for each Divisional Branch is determined by reference to the formula found at rule 8(iii) and rule 8(vi) of the rules for the Construction & General Division of the CFMMEU.
7. In relation to the Divisional Branch Council, the number of elected representatives is calculated by reference to the formula defined in rule 40(2)(v)(a) of the rules of the Division.
8. Rule 40(2)(v)(a) provides for the election of 4 delegates to a Divisional Branch Council zone with up to 500 financial members and a further 3 delegates for each additional 1000 members. The number of financial members attached to each zone is determined on 30 July preceding the calling of nominations for Zone Delegates to Divisional Branch Council.
9. Rule 40(2)(v)(a) further states that in relation to the Melbourne Metropolitan Zone, there shall be representation of defined trade groups in accordance with the proportions set

out in rule 42(a)(v) with respect to the Victoria-Tasmania Branch Management Committee. For all other zones, representation shall be by and from all members of the respective zones.

10. This statement is lodged at least 2 months before nominations open for the election(s) in Annexure A. Rule 38(u)(iii) requires that the election be held no earlier than 6 weeks but no longer 6 months after the declaration of results for the other Divisional Branch Council Members.

A handwritten signature in black ink, appearing to read 'Robert Graauwmans', is written over a faint, light-colored circular stamp or watermark.

Signed: Robert Graauwmans, Divisional Branch President of the Victoria-Tasmania Divisional Branch.

Dated: 7 June 2021

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Melbourne Metropolitan Zone – Carpenters)	7	Direct Voting System	Insufficient nominations	Carpenter members within the Melbourne Metropolitan Zone <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper.</i>
Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Melbourne Metropolitan Zone – Painters/Signwriters)	4	Direct Voting System	Insufficient nominations	Painters/signwriter members within the Melbourne Metropolitan Zone <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper.</i>

<p>Construction & General Division – Victoria-Tasmania Divisional Branch</p>	<p>Divisional Branch Council Member (Melbourne Metropolitan Zone – Fibrous Plasterer/Fibrous Plasterer Industry Members)</p>	<p>2</p>	<p>Direct Voting System</p>	<p>Insufficient nominations</p>	<p>Fibrous Plasterer/Fibrous Plasterer Industry members within the Melbourne Metropolitan Zone</p> <p><i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper.</i></p>
<p>Construction & General Division – Victoria-Tasmania Divisional Branch</p>	<p>Divisional Branch Council Member (Melbourne Metropolitan Zone – Crane Operators; Rigger Dogman; Plant and Machine Operators; Boiler attendant/engine driver; Production worker (metal); Concrete pump operators; Forklift operators; Hoist operations and Drilling/piling)</p>	<p>7</p>	<p>Direct Voting System</p>	<p>Insufficient nominations</p>	<p>Crane Operators; Rigger Dogman; Plant and Machine Operators; Boiler attendant/engine driver; Production worker (metal); Concrete pump operators; Forklift operators; Hoist operations and Drilling/piling members within the Melbourne Metropolitan Zone.</p> <p><i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper.</i></p>

Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Melbourne Metropolitan Zone – Bricklayer; Roof-tilers; Stonemasons; Wall and Floor Tilers and Solid Plasterers)	5	Direct Voting System	Insufficient nominations	Bricklayer; Roof-tilers; Stonemasons; Wall and Floor Tilers and Solid Plasterers members within the Melbourne Metropolitan Zone. <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper</i>
Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Geelong Zone)	1	Direct Voting System	Insufficient nominations	Members within the Geelong Zone. <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper</i>
Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Central Victoria Zone)	1	Direct Voting System	Insufficient nominations	Members within the Central Victoria Zone. <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper</i>

Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Council Member (Northern Victoria Zone)	1	Direct Voting System	Insufficient nominations	Members within the Northern Victoria Zone. <i>Rule 40(2)(v)(a) – Wherever any election of the Zone Delegates to Divisional Branch Council becomes necessary only the members belonging to that zone where an election is required to take place shall be eligible to nominate and receive a ballot paper</i>
Construction & General Division – Victoria-Tasmania Divisional Branch	Divisional Branch Delegate to Divisional Conference	1	Direct Voting System	Insufficient nominations	All members of the Victoria-Tasmania Divisional Branch. <i>Rule 38(o) - All financial members as defined in this rule shall be entitled to vote for all positions. Provided that in respect of voting for councillors members shall only be entitled to vote to elect the Councillor or Councillors within their Trade District or if they are not a member of a trade district, for the councillors within the zone district that they are attached to.</i>

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by returning officer	N/A
Nominations CLOSE	To be determined by returning officer	N/A

Roll of Voters cut off date	To be determined by returning officer	N/A
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NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.
 If the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a *preference*, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.
 If the P.I. includes a position that is not an office, please refer to our template [Prescribed information for the election of officer and non-officer positions](#).

**Construction, Forestry, Maritime, Mining and Energy
Union**
**CFMMEU - Construction and General Division - Victoria-Tasmania
Divisional Branch**
DECLARATION OF RESULTS - E2020/95
Uncontested Offices

Scheduled Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

Divisional Branch President (1)

Candidates

GRAAUWMANS Robert

Divisional Branch Senior Vice-President (FEDFA) (1)

Candidates

MYLES Joe

Divisional Branch Vice-President (1)

Candidates

MYLES Mick

Divisional Branch Secretary - ex officio Divisional Branch Delegate to Divisional Conference (1)

Candidates

SETKA Johnny

Divisional Branch Assistant Secretary (2)

Candidates

CHRISTOPHER Derek

SPERNOVASILIS Elias

Divisional Branch Delegate to Divisional Conference (15)

Candidates

ALLAN Skye

CHRISTOPHER Derek

DAVIES Nigel

DONNON Garry

GRAAUWMANS Robert

LONG Steve

LYTHGO David

MYLES Joe

NOONAN Dave

PITT Brendan

SPERNOVASILIS Elias

THEODOROU Theo

TRAVERS Mark

ZANATTA Lisa

Divisional Branch Organiser (18)

Candidates

AKBARI Frank

BUCKLEY Ronnie

HASSETT Richie

LONG Steve

MC QUAID Gerry

MYLES Mick

MYLES Joe

OLSEN Adam

PEARSON Kane

PERKOVIC John
PITT Brendan
SIMPSON James
TAIT Mark
THORNTON Toby
TRAVERS Mark
TZIMAS Paul
VAMVAS Nick
ZANATTA Lisa

Sub-Branch President (Tasmania) (1)

Candidates

HARKINS Kevin

Sub-Branch Secretary (Tasmania) (1)

Candidates

HASSETT Richie

Sub-Branch Management Committee Member (Tasmania) (6)

Candidates

BARLOW Broden

DENNY Mark

HARKINS Kevin

HASSETT Richie

HLIS Dushan

STUHT Jim

Divisional Branch Council Member - Metropolitan Melbourne Zone – Carpenters (19)

Candidates

CAMPBELL Rhett

DREDGE Tony

FILARDO Felice

FOLEY David

GOODWIN Shelly

MANTIS John

MCNIVEN Brad

O'HEARN Liam

ORTERGA Rick

PRESTI Sam

PUNSHON Trevor

VUCAK Jack

Divisional Branch Council Member - Metropolitan Melbourne Zone - Painters/

Signwriters (6)

Candidates

FITZSIMONS Mick

ROBERTS Gary

Divisional Branch Council Member - Metropolitan Melbourne Zone - Fibrous

Plasterer/Fibrous Plasterer Industry Members (3)

Candidates

COLINA Ivan

Divisional Branch Council Member - Metropolitan Melbourne Zone - Crane Operators;

Rigger Dogman; Plant and machine operators; Boiler attendant/engine driver;

Production worker (metal); Concrete pump operators; Forklift operators; Hoist operations and Drilling/piling (19)

Candidates

BRADLEY Rick

BRETT Chris

CAKARUN Vlado

EGAN Mick

MCKENZIE Lee

MCMILLAN Mark

PETERSON Mark

RUFFATO Angelo

RYAN James
RYAN Terry
SCAFFIDI Bart
VAN AREND Esther

Divisional Branch Council Member - Metropolitan Melbourne Zone - Bricklayer; Roof-tilers; Stonemasons; Wall and floor tilers and Solid Plasterers (6)

Candidates

COSTABILE David

Divisional Branch Council Member - Geelong Zone (4)

Candidates

DORAN Dean
MCCANN Paul
TRIVERS Mark

Divisional Branch Council Member - Central Victoria Zone (4)

Candidates

DAVIES Nigel

DUFFY David

PITLIK Andrew

Divisional Branch Council Member - Northern Victoria Zone (4)

Candidates

GIANCHINO James

HANNEBERY Joel

TAIT Mark

Divisional Branch Council Member - Latrobe Zone (4)

Candidates

DARCY Phil

MALONE Tom

THOMSON John

THORNTON Toby

Divisional Branch Management Committee Member – Carpenter (6)

Candidates

BALTA Steven

CONSTANTINOU John

GRITZALIS Dennis

IOANNIDIS Anthony

THEODOROU Theo

ZANNATTA Lisa

Divisional Branch Management Committee Member - Builders Labourers (6)

Candidates

BEATTIE Billy

BENSTEAD Gerard

LYTHGO David

MISIC Darko

PERKOVIC John

ROUND Paul

Divisional Branch Management Committee Member - Painters/ Signwriters (2)

Candidates

AKBARI Frank

RASPUDIC Rudy

Divisional Branch Management Committee Member - Fibrous Plasterer/Fibrous Plasterer Industry Members (1)

Candidates

PERAK John

Divisional Branch Management Committee Member - Crane Operators; Rigger Dogman; Plant and machine operators; Boiler attendant/engine driver; Production worker (metal); Concrete pump operators; Forklift operators; Hoist operations and Drilling/piling (6)

Candidates

ALBERT Marty
CORDIER Anthony
LONG Stephen
MURPHY Martin
PITT Brendan
TOMIC Jeremy

Divisional Branch Management Committee Member - Bricklayer; Roof-tilers; Stonemasons; Wall and floor tilers and Solid Plasterers (2)

Candidates

FARRELLY Paddy
SIMPSON James

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Evelyn Anderson
Returning Officer
Telephone: 03 9285 7108
Email: IEBevents@aec.gov.au
01/03/2021

