

24 February 2022

# Post-election report

**Waste Contractors & Recyclers  
Association of NSW**  
Casual Vacancy Election  
E2021/150

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# Election(s) Covered in this Report

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Organisation: Waste Contractors and Recyclers Association of NSW  
Election: Casual Vacancy  
Election Decision No/s: E2021/150

## Rules

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Rules used for the election: [149N: Incorporates alterations certified on 31 December 2020 in matter R2020/199] (replaces 1 June 2015 [D2014/71] version)

Rules difficult to apply/interpret: No

## Roll of Voters

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Based on an analysis of the register of members the Returning Officer has formed the opinion that :

- There were no concerns in the construction of the Roll of Voters
- There are no concerns in the data provided by the organisation

## Other Matters

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Returning Officer actions required (Section 193): Yes

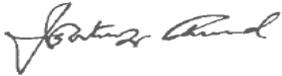
Details:

- As there is no rule pertaining to the withdrawal of Nomination, the Returning Officer fixed a closing time for the withdrawal of the nomination and the withdrawal period was aligned with the close of the nomination period.
- Rules of the Association states that ballot to open no less than one week after the close of the nominations. The Returning Officer deems that this time frame is insufficient to assess the eligibility of nominations received and to ensure the documents for the ballot are correct. To address the issue, the Returning Officer determined to open the ballot within 4 weeks of the close of the nomination.
- The rules of the Association states that the ballot period needs to be closed within three weeks after the ballot is opened. The Returning Officer determined to close the ballot period within 30 days of the opening of the ballot, due to delays caused by COVID-19 impact.
- Rules regarding the timetable of the election were set aside as the AEC held concerns that the COVID-19 may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.

- Rules specifying the method of lodgement of nominations were set aside as the AEC held concerns that COVID-19 would impact on the ability for potential candidates to nominate. Instead, nominations were received electronically, via email/the AEC's portal.

## Signed

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Ishtiaq Ahmed  
Returning Officer  
Australian Electoral Commission  
E: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)  
P: 02 9375 6331  
24 February 2022

## Attachments

- A. Declaration of results for Uncontested Offices

**Waste Contractors & Recyclers Association of NSW**  
**DECLARATION OF RESULTS - E2021/150**  
**Uncontested Offices**

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**Casual Vacancy 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:

**Executive Member, Category C (1)**

Candidates

VELLA Damien

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

Ishtiaq Ahmed  
Returning Officer  
Telephone: 02 9375 6331  
Email: IEEvents@aec.gov.au  
22/02/2022

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[2021] ROCD 122



Australian Government  
Registered Organisations Commission

## DECISION

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

### Waste Contractors & Recyclers Association of NSW (E2021/150)

MR STEENSON

SYDNEY, 23 JULY 2021

*Arrangement for conduct of election.*

[1] On 14 July 2021 the Waste Contractors & Recyclers Association of NSW lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

Executive member, Category C (1)

[2] I am satisfied that an election for the abovenamed office is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, 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**

By e mail as PDF file to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au)

I, Jeffrey Brandstater, being the Secretary of the Waste Contractors & Recyclers Association of NSW make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Waste Contractors & Recyclers Association of NSW.
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. The resignation of Glen Gauslaa was tabled and approved by Executive on 10<sup>th</sup> June 2021. This election will be to fill a casual vacancy in Category C.
5. The rule number(s) relating to the Executive are at 21
  - a) Rule no 21.2(a) specifies the Category and Number of Executive positions
  - b) Rule no 21.2(aa) details the procedure to be followed if nominations are received from one or more category of Members.

Signed by

Secretary

A handwritten signature in black ink, appearing to read 'Jeffrey Brandstater', written over a horizontal line.

Dated: 14<sup>th</sup> July 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](mailto:regorgs@roc.gov.au).

## Annexure A

Branch	Name of Office	Number required	Voting System <i>By secret ballot of Members of the Executive</i>	Reason for Election <i>To fill a Casual Vacancy in Category B</i>	Electorate
N/A	Executive Category C	1	Collegiate electoral system	Casual vacancy	<ul style="list-style-type: none"> <li>• As per Rule 25 Casual Vacancies</li> <li>• A secret ballot by Members of the Executive in accordance with Rule 24</li> <li>• Electoral timetable to be developed by the AEC</li> </ul>