

28 October 2019

# Post-election report

Local Government NSW  
Scheduled Election  
E2019/38

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# Election(s) Covered in this Report

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Organisation: Local Government NSW  
Election: Scheduled  
Election Decision No/s: E2019/38

## Rules

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Rules used for the election: (142N: Incorporates alterations of 12/03/2019 in matter D2018/8) Replaces rulebook dated 05/03/2019

Rules difficult to apply/interpret: None  
Model Rule reference (if any): I refer to Part 1 - 5 Scrutineers.  
For more details see the Model Rules on the AEC website:  
([https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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Total number of voters on the Roll:	417
Number of apparent workplace addresses:	397
Number of non-current addresses:	NIL
Other matters pertaining to the roll of voters:	NIL

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: NIL

Other irregularities identified, and action taken: NIL

## Other Matters

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Returning Officer actions required (Section 193): No

Details:

There was confusion reported by voting delegates who had been substituted without the knowledge of the delegate, it is recommended that Rule 34 (c) Substitute of voting delegates for voting in Board election be deleted, as replacement of delegates is covered under Section B Rule 16 (Absent Voting), so Rule 34 (c) is not an essential requirement.

The counting for the director positions are required to be done through the AEC computer systems it means the counting cannot be done at the conference location and generally take places the following day in our AEC office. Therefore I recommend Schedule B Rule 18 in regards to Scrutineers be changed, and the words "before the closing of the ballot" be removed.

## Signed

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Anthony Carey  
Returning Officer  
Australian Electoral Commission  
E: nswelections@aec.gov.au  
P: 02 9375 6361  
28 October 2019

## Attachments

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### A. Declaration of Results for Contested Offices – NSW



18 October 2019

Linda Scott  
President  
Local Government NSW  
Sent via email: [lgsw@lgsw.org.au](mailto:lgsw@lgsw.org.au)

Dear Linda Scott,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Registered Organisations Commission (the ROC) a declaration of results for the election of contested offices in matter E2019/38. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### A notice must be published on the organisation's website

The organisation or branch must, as soon as practicable after receiving the post-election report, publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### Holders of office required to undertake approved training

Section 293K of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe. Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which are provided for in the RO Act.

#### Organisation must notify the Commission of changes

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** If the election has resulted in **any changes** to the holders of office, the Local Government NSW must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
  - the name of the office vacated;
  - the date of the change of office holder; and
  - the name of the person vacating the office.
  
2. Person(s) who have commenced to hold office:
  - the name of the office now held;
  - the date of the change of office holder;
  - the name of the person now holding the office;
  - the postal address of the person (generally the postal address of the organisation); and

- the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Yours faithfully,

**Christine Hibberd**  
**Registered Organisations Commission**

**Local Government NSW**  
**DECLARATION OF RESULTS - E2019/38**  
**Contested 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:

**Council Delegates**

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	417
Number of voters issued with voting material	399
<b>COUNT</b>	
Total ballot papers admitted to the count (b)	399
<b>PARTICIPATION</b>	
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	96 %

**President (1)**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
CASTELLARI, John	28	Excluded
SCOTT, Linda	276	303
GLACHAN, Alice	94	95
<b>Total ballot papers admitted for this office</b>		<b>399</b>
Formal Ballot papers		398
Informal Ballot papers		1

I declare the following elected:

- SCOTT, Linda

**Treasurer (1)**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
LAXALE, Jerome	219	256
BENNISON, Scott	135	142
SHERLOCK, Tom	44	Excluded
<b>Total ballot papers admitted for this office</b>		<b>399</b>
Formal Ballot papers		398
Informal Ballot papers		1

I declare the following elected:

- LAXALE, Jerome

## Metropolitan/Urban Council Delegates

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	207
Number of voters issued with voting material	198
<b>COUNT</b>	
Total ballot papers admitted to the count (b)	198
<b>PARTICIPATION</b>	
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	96 %

### Vice President (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
FORSTER, Christine	54	68
TSIREKAS, Angelo	96	130
FURNEAUX-COOK, Lesley	48	Excluded

<b>Total ballot papers admitted for this office</b>	<b>198</b>
Formal Ballot papers	198
Informal Ballot papers	0

I declare the following elected:

- TSIREKAS, Angelo

### Director (7)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
FORSTER, Christine	8	Excluded
WAKEFIELD, John	1	Excluded
ZBIK, Andrew	0	Excluded
MORONEY, Ben	1	Excluded
LE, Dai	13	24
McKEOWN, Karen	83	24
LOCKIE, Pauline	6	Excluded
CHUNG, Craig	5	16
GRIFFITHS, Julie	2	24
FURNEAUX-COOK, Lesley	16	24
KANAK, Dominic WY	2	Excluded
HADID, Mazhar	17	20
FORSHAW, Michael	0	Excluded
SHERLOCK, Tom	1	Excluded
ASFOUR, Khal	1	24
GREISS, George	30	24
CAGNEY, Cindy	0	Excluded
ERIKSSON, Hugh	1	Excluded
Gains/Loss		7



<b>Total ballot papers admitted for this office</b>	<b>197</b>
Formal Ballot papers	187
Informal Ballot papers	10

I declare the following elected:	Order Elected
• McKEOWN, Karen	1
• GREISS, George	2
• ASFOUR, Khal	3
• GRIFFITHS, Julie	4
• FURNEAUX-COOK, Lesley	5
• LE, Dai	6
• HADID, Mazhar	7

### Rural/Regional Council Delegates

<b>VOTING MATERIAL ISSUED</b>	
Total number of people on the roll of voters (a)	210
Number of voters issued with voting material	201
<b>COUNT</b>	
Total ballot papers admitted to the count (b)	201
<b>PARTICIPATION</b>	
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	94 %

### Vice President (1)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
FAGAN, Ruth	56	85
LAWRENCE, Stephen	83	116
SCHREIBER, Kevin	35	Excluded
KING, Dominic	27	Excluded

<b>Total ballot papers admitted for this office</b>	<b>201</b>
Formal Ballot papers	201
Informal Ballot papers	0

I declare the following elected:  
• LAWRENCE, Stephen

### Director (7)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
SMITH, Isaac	3	Excluded
GREENAWAY, Louise	1	Excluded
FAGAN, Ruth	14	24
SALIBA, Marianne	2	24
BILKEY, Chris	1	Excluded

SHIELDS, Ben	24	24
GLACHAN, Alice	7	Excluded
KENDALL, Rod	10	Excluded
HAYES, Dan	1	Excluded
WALTERS, Cameron	9	19
DAGG, Melanie	2	Excluded
SCHREIBER, Kevin	0	Excluded
HOLLYWOOD, Romola	3	Excluded
CASTELLARI, John	1	Excluded
TURLEY, Darriea	51	24
MILLER, Phyllis	26	24
MULHOLLAND, Danielle	4	Excluded
TOWNLEY, Sally	0	Excluded
BLACK, Virginia	0	Excluded
KING, Dominic	13	24
BANASIK, Michael	4	Excluded
CHERRY, Chris	2	Excluded
RHOADES, Keith	12	21
Gain/Loss	0	6

<b>Total ballot papers admitted for this office</b>	201
Formal Ballot papers	190
Informal Ballot papers	11

I declare the following elected:	Order Elected
• TURLEY, Darriea	1
• MILLER, Phyllis	2
• SHIELDS, Ben	3
• SALIBA, Marianne	4
• KING, Dominic	5
• FAGAN, Ruth	6
• RHOADES, Keith	7



Anthony Carey  
 Returning Officer  
 Telephone: 02 9375 6361  
 Email: nswelections@aec.gov.au  
 17/10/2019



## DECISION

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

**Local Government NSW**  
(E2019/38)

MR ENRIGHT

MELBOURNE, 23 APRIL 2019

*Arrangement for conduct of election.*

[1] On 4 March 2019 the Local Government and Shires Association of New South Wales lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

President	(1)
Vice President (Metropolitan/Urban)	(1)
Vice President (Rural/Regional)	(1)
Treasurer	(1)
Director (Metropolitan/Urban)	(7)
Director (Rural/Regional)	(7)

[2] On 12 March 2019 the Local Government and Shires Association of New South Wales formally changed its name to “Local Government NSW” via rule alterations certified by the Fair Work Commission in matter number D2018/8.

[3] I am satisfied that an election for the abovenamed offices 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***

I, Linda Scott, being the President of the Local Government and Shires Association of New South Wales (also known as Local Government NSW) ("LGNSW"), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Local Government and Shires Association of New South Wales.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).
3. An election for offices on the Board of LGNSW is required as the terms of office for the offices is due to expire in the normal course of events under the rules of the organisation.
4. The elections that are required are set out in the table in Annexure A.
5. On 26 November 2018 and 5 December 2018 LGNSW made applications to the Fair Work Commission to certify alterations to the rules of LGNSW ("pending rule alterations"). The pending rule alterations are the result of motions carried at the 2018 LGNSW Annual Conference. The pending rule alterations will not will impact the election.
6. This statement **IS** lodged at least 2 months before nominations open for the election below.

Signed



Cr Linda Scott

Dated: 18 March 2019.

## ANNEXURE A

- Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
N/A	President	1	Direct voting system	Scheduled	Delegates of Ordinary members who are entitled to vote at a Conference – rule 39(c)
N/A	Vice President (Metropolitan/Urban)	1	Direct voting system	Scheduled	Delegates entitled to vote at a Conference from Metropolitan/Urban councils that are Ordinary members and, if the NSW Aboriginal Land Council (ALC) is an Ordinary member, the member of the Board of the ALC who is the delegate for the Sydney/Newcastle ALC Region – rule 40(a)
N/A	Vice President (Rural/Regional)	1	Direct voting system	Scheduled	Delegates entitled to vote at a Conference from Rural/Regional councils that are Ordinary members and, if the NSW Aboriginal Land Council (ALC) is an Ordinary member, the members of the Board of the ALC who are delegates from those ALC Regions that are treated as Rural/Regional Councils for the purpose of Step 2 of Rule 23 – rule 40(b)
N/A	Treasurer	1	Direct voting system	Scheduled	Delegates of Ordinary members who are entitled to vote at Conferences, together with the members of the board of the NSW Aboriginal Land Council (ALC) if the ALC is an Ordinary member – rule 40(c)
N/A	Director (Metropolitan/Urban)	7	Direct voting system	Scheduled	Delegates entitled to vote at a Conference from Metropolitan/Urban councils that are ordinary members and, if the NSW Aboriginal Land Council (ALC) is an Ordinary member, the member of the Board of the ALC for the Sydney/Newcastle ALC Region – rule 40(d)

N/A	Director (Rural/Regional)	7	Direct voting system	Scheduled	Delegates entitled to vote at a Conference from Rural/Regional councils that are ordinary members and, if the NSW Aboriginal Land Council (ALC) is an Ordinary member, the members of the Board of the ALC who are the delegates from those ALC Regions that are treated as Rural/Regional councils for the purpose of Step 2 of Rule 23 – rule 40(e)
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- Important dates:

	<b>Rule:</b>	<b>Date/time (subject to AEC confirmation):</b>
<b>2019 LGNSW Annual Conference</b>		The 1 <sup>st</sup> business day of the Conference is Tuesday, 15 October 2019
<b>Roll of Voters closure date</b>	<i>"The Roll of Voters ... must be closed seven (7) days prior to the date upon which the Returning Officer calls nominations for an election..."</i> [Schedule B, Clause 2]	19 August 2019 at 12 midnight (AEST)
<b>Nominations OPEN</b>	<i>"The Returning Officer shall cause an election notice inviting nominations ...at least seven (7) weeks prior to the first business day of the Annual Conference in an election year."</i> [Schedule B, Clause 5(a)]	26 August 2019
<b>Nominations CLOSE</b>	<i>"Nominations ... must reach the Returning Officer at least four (4) weeks prior to the first business day of the Annual Conference in the relevant year."</i> [Schedule B, Clause 8]	16 September 2019 at 12 noon (AEST)