

5 March 2021

# Post-election report

Traffic Management Association of  
Australia  
Scheduled election  
E2019/179

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# Election(s) Covered in this Report

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Organisation: Traffic Management Association of Australia

Election: Scheduled

Election Decision No/s: E2019/179

## Rules

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Rules used for the election: 013Q: Incorporates alterations of 24 July 2019 [R2019/34 & R2019/73] Replaces rulebook dated 24 January 2018 [R2017/262]

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

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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As there were no contested offices, no Roll of Voters was required.

## 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): Yes

Details:

### **Receipt of Nominations**

Application of s.193 of the Act is required to allow the Returning Officer to receive Nominations via email.

### **Defective Nominations**

Application of s.193 of the Act is required to allow up to 7 days where practicable for the remedy of Defective Nominations.

### **Withdrawal of nominations**

Application of s.193 of the Act is required to allow for the withdrawal of Nominations prior to the close of nominations.

### **Provision of Postal Voting**

Application of s.193 of the Act is required to allow for the conduct of the ballot as a postal ballot.

## Signed

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A handwritten signature in black ink, appearing to read 'McLarmody'.

Michelle Carmody  
Returning Officer  
Australian Electoral Commission  
E: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)  
P: 03 9285 7131  
5 March 2021

# Attachments

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- A. Declaration of Results for Uncontested Offices – Stage 1
- B. Declaration of Results for Uncontested Offices – Stage 1 Recall
- C. Declaration of Results for Uncontested Offices – Stage 2
- D. Declaration of Results for Uncontested Offices – Stage 2 Recall

## Attachment A

### Declaration of Results for Uncontested Offices – Stage 1

#### Traffic Management Association of Australia DECLARATION OF RESULTS - E2019/179 Uncontested Offices

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##### 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:

##### TMAA - Tasmania

Management Committee Member (1)

##### Candidates

O'MEARA Camille

##### TMAA - Northern Territory

Management Committee Member (1)

##### Candidates

HEASUP Damien

##### TMAA - Queensland

Management Committee Member (1)

##### Candidates

CLEMENTS Andrew

##### TMAA - New South Wales

Management Committee Member (1)

##### Candidates

MARSONET Ben

##### TMAA - Victoria

Management Committee Member (1)

##### Candidates

*No Nominations Received –*

*Rule 7.5(d) requires that nominations for this position be recalled. An election notice for this position will be issued on 4 February 2020.*

##### TMAA - South Australia

Management Committee Member (1)

##### Candidates

WHITE Andrew

##### TMAA - Western Australia

Management Committee Member (1)

##### Candidates

O'DWYER Stephen

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



Darren Drysdale  
Returning Officer  
Telephone: 07 3049 2103  
Email: northlakesareaoffice@aec.gov.au

3 February 2020



## Attachment B

### Declaration of Results for Uncontested Offices – Stage 1 Recall

#### Traffic Management Association of Australia DECLARATION OF RESULTS - E2019/179 Uncontested Offices

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##### Recall 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:

##### TMAA - Victoria

##### Management Committee Member (1)

##### Candidates

SIMMONS Anthony

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



Darren Drysdale  
Returning Officer  
Telephone: 07 3049 2103  
Email: [northlakesareaoffice@aec.gov.au](mailto:northlakesareaoffice@aec.gov.au)  
19/02/2020



## Attachment C

## Declaration of Results for Uncontested Offices – Stage 2

### Traffic Management Association of Australia DECLARATION OF RESULTS - E2019/179 Uncontested Offices

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#### 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:

#### Management Committee

##### President (1)

##### Candidates

O'DWYER Stephen

#### Management Committee

##### Vice-President (1)

##### Candidates

MARSONET Ben

#### Management Committee

##### Secretary (1)

##### Candidates

No Nominations Received

#### Management Committee

##### Treasurer (1)

##### Candidates

No Nominations Received

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



Returning Officer  
Telephone: 03 9285 7177  
Email: [JEBevents@aec.gov.au](mailto:JEBevents@aec.gov.au)

21/10/2020





Declaration of Results for Uncontested Offices – Stage 2 Recall

**Traffic Management Association of Australia**  
**DECLARATION OF RESULTS - E2019/179 - Stage 2**  
**Uncontested Offices**

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**Recall 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:

**Management Committee**

**Secretary (1)**

Candidates

SIMMONS Anthony

**Treasurer (1)**

Candidates

WHITE Andrew

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



Michelle Carmody  
Returning Officer  
Telephone: 03 9285 7131  
Email: IEEvents@aec.gov.au  
04/03/2021



**Traffic Management Association of Australia**  
**DECLARATION OF RESULTS - E2019/179 - Stage 2**  
**Uncontested Offices**

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**Recall 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:

**Management Committee**

**Secretary (1)**

Candidates

SIMMONS Anthony

**Treasurer (1)**

Candidates

WHITE Andrew

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



Michelle Carmody  
Returning Officer  
Telephone: 03 9285 7131  
Email: IEBevents@aec.gov.au  
04/03/2021



**Traffic Management Association of Australia**  
**DECLARATION OF RESULTS - E2019/179**  
**Uncontested Offices**

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**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:

**Management Committee**

**President (1)**

Candidates

O'DWYER Stephen

**Management Committee**

**Vice-President (1)**

Candidates

MARSONET Ben

**Management Committee**

**Secretary (1)**

Candidates

*No Nominations Received*

**Management Committee**

**Treasurer (1)**

Candidates

*No Nominations Received*

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

*Dr Valentine*

Returning Officer  
Telephone: 03 9285 7177  
Email: [IEBevents@aec.gov.au](mailto:IEBevents@aec.gov.au)

21/10/2020



25 February 2020

Camille O'Meara  
Secretary  
Traffic Management Association of Australia  
Sent via email: tmaa@tmaa.asn.au

Dear Camille O'Meara,

### **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 uncontested offices in matter E2019/179. 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 Traffic Management Association of Australia 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 sincerely

**Registered Organisations Commission**

**Traffic Management Association of Australia**  
**DECLARATION OF RESULTS - E2019/179**  
**Uncontested Offices**

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**Recall 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:

**TMAA - Victoria**

**Management Committee Member (1)**

Candidates

SIMMONS Anthony

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



Darren Drysdale  
Returning Officer  
Telephone: 07 3049 2103  
Email: northlakesareaoffice@aec.gov.au  
19/02/2020



4 February 2020

Camille O'Meara  
Secretary  
Traffic Management Association of Australia  
Sent via email: tmaa@tmaa.asn.au

Dear Camille O'Meara,

### **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 uncontested offices in matter E2019/179. 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 Traffic Management Association of Australia 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 sincerely

**Registered Organisations Commission**



# Traffic Management Association of Australia

## DECLARATION OF RESULTS - E2019/179

### Uncontested Offices

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#### 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:

#### **TMAA - Tasmania**

##### **Management Committee Member (1)**

###### Candidates

O'MEARA Camille

#### **TMAA - Northern Territory**

##### **Management Committee Member (1)**

###### Candidates

HEASLIP Damien

#### **TMAA - Queensland**

##### **Management Committee Member (1)**

###### Candidates

CLEMENTS Andrew

#### **TMAA - New South Wales**

##### **Management Committee Member (1)**

###### Candidates

MARSONET Ben

#### **TMAA - Victoria**

##### **Management Committee Member (1)**

###### Candidates

*No Nominations Received –*

*Rule 7.5(d) requires that nominations for this position be recalled. An election notice for this position will be issued on 4 February 2020.*

#### **TMAA - South Australia**

##### **Management Committee Member (1)**

###### Candidates

WHITE Andrew

#### **TMAA - Western Australia**

##### **Management Committee Member (1)**

###### Candidates

O'DWYER Stephen

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



Darren Drysdale  
Returning Officer  
Telephone: 07 3049 2103  
Email: northlakesareaoffice@aec.gov.au

3 February 2020





## DECISION

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

### **Traffic Management Association of Australia** (E2019/179)

MR ENRIGHT

MELBOURNE, 17 DECEMBER 2019

*Arrangement for conduct of election.*

[1] On 8 November 2019 the Traffic Management Association of Australia lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices:

Management Committee Members representing the following electorates:

|                    |     |
|--------------------|-----|
| Tasmania           | (1) |
| Northern Territory | (1) |
| Queensland         | (1) |
| New South Wales    | (1) |
| Victoria           | (1) |
| South Australia    | (1) |
| Western Australia  | (1) |

Management Committee office-bearers:

|                |     |
|----------------|-----|
| President      | (1) |
| Vice-President | (1) |
| Secretary      | (1) |
| Treasurer      | (1) |

[2] 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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PR351528



**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, Camille O'Meara being the Secretary of the Traffic Management Association of Australia (TMAA) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Traffic Management Association of Australia (TMAA)
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. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
5. *If the number of elected representatives is calculated on a formula(s) defined in the rules]:*
  - a. The rule number(s) which specify(s) the formula(s) is/are Rule 7.4 (c), 7.4 (f), 7.6 (c), 7.9 (b).
  - b. The formulas are nominations for the Direct Voting system open no less than 90 days (January 12, 2020) before the AGM date (15 April 2020). The closing time for Direct Voting system shall be no more than 14 days after the date that nominations open (23 January 2020). The time and date of closure of the roll of members shall be no more than 30 days before and no less than 7 days before the opening of nominations (20 December, 2019). The collegiate elections date will be determined by the Returning Officer. The relevant dates have been outlined in this section.



Signed:

A handwritten signature in black ink, appearing to read "Camille Hare".

Dated: 8 November 2019

**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

- Elections that are required [insert as many pages as required]

| Division | Name of Office                            | Number required | Voting System<br><i>Direct voting system;</i> | Reason for Election<br><i>Scheduled;<br/>Casual vacancy;<br/>New office created;<br/>Insufficient nominations</i> | Electorate       |
|----------|---|-----------------|---|---|------------------|
| TMAA TAS | TMAA TAS<br>(Management Committee Member) | 1               | Direct Voting System                          | Scheduled   | TMAA TAS Rule 7. |
| TMAA NT  | TMAA NT<br>(Management Committee Member)  | 1               | Direct Voting System                          | Scheduled   | TMAA NT Rule 7.  |
| TMAA QLD | TMAA QLD<br>(Management Committee Member) | 1               | Direct Voting System                          | Scheduled   | TMAA QLD Rule 7. |
| TMAA NSW | TMAA NSW<br>(Management Committee Member) | 1               | Direct Voting System                          | Scheduled   | TMAA NSW Rule 7. |
| TMAA VIC | TMAA VIC<br>(Management Committee Member) | 1               | Direct Voting System                          | Scheduled   | TMAA VIC Rule 7. |

|          |  |   |                      |           |                 |
|----------|--|---|----------------------|-----------|-----------------|
| TMAA SA  | TMAA SA<br>(Management Committee Member) | 1 | Direct Voting System | Scheduled | TMAA SA Rule 7. |
| TMAA WA  | TMAA WA<br>(Management Committee Member) | 1 | Direct Voting System | Scheduled | TMAA WA Rule 7. |
| National | President                                | 1 | Collegiate           | Scheduled | TMAA Rule 7.9   |
| National | Vice President                           | 1 | Collegiate           | Scheduled | TMAA Rule 7.9   |
| National | Secretary                                | 1 | Collegiate           | Scheduled | TMAA Rule 7.9   |
| National | Treasurer                                | 1 | Collegiate           | Scheduled | TMAA Rule 7.9   |

- Important dates:

|                                    | <b>Direct Voting System</b>   | <b>Collegiate Electoral System</b>        |
|------------------------------------|-------------------------------|---|
| <b>Nominations OPEN</b>            | 12 January 2020, Rule 7.4 (c) | To be determined by the Returning Officer |
| <b>Nominations CLOSE</b>           | 23 January 2020, Rule 7.4 (f) | To be determined by the Returning Officer |
| <b>Roll of Voters cut off date</b> | 20 December 2019 Rule 7.6 (c) | To be determined by the Returning Officer |



**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](#).

