

From: [KELLETT, Stephen](mailto:KELLETT.Stephen)
To: [KELLETT, Stephen](mailto:KELLETT.Stephen)
Subject: FW: Post-Election report for WCRA NSW Vacancy Election - E2013/261 [DLM=For-Official-Use-Only]
Date: Saturday, 26 October 2013 6:35:54 AM

From: Noopur Madan [<mailto:Noopur.Madan@aec.gov.au>]
Sent: Wednesday, 23 October 2013 12:48 PM
To: tony@wcra.com.au
Cc: Melbourne@fwc.gov.au; Industrial Elections
Subject: Post-Election report for WCRA NSW Vacancy Election - E2013/261 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Attention: Stephen Kellett (FWC)

Dear Mr Khoury,

Re: Post-Election report for WCRA NSW Executive Vacancy Election - E2013/261

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 (“the Act”) requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 of the Act requires that if an organisation or branch is given a post election report under Section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to ‘industrial.elections@aec.gov.au’ within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation’s response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Thanks

Regards

-

Noopur Madan | Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission

For-Official-Use-Only

DISCLAIMER:

If you have received this transmission in error please notify us immediately by return email and delete all copies. If this email or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the email or attachments.



Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: Waste Contractors & Recyclers Association of NSW

Contact details: Tony Khoury
Executive Director
WCRA NSW
PO Box 6643
WETHERILL PARK NSW

Email: Tony@wcra.com.au
Tel: 02 9604 7206

FWC contact officer: Stephen Kellett

Email: Stephen.kellett@fwc.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2013/261

RULES

Rules used for elections Rule ID: [149N: Rules as at registration on 28/01/2011 in D2010/5009]

Rules difficult to apply/interpret: Nil

ROLL OF VOTERS

As no ballot was required the roll of voters was not required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

ATTACHMENTS

Declaration of Result – Uncontested Offices

Noopur Madan
Returning Officer

23 October 2013

Waste Contractors & Recyclers Association of NSW Executive Member - Casual vacancy E2013/261

Declaration of Results for Uncontested Offices

E2013/261

Below are 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.

Waste Recyclers Association of NSW

Executive Member

Candidates

BAYLISS, Scott

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



Noopur Madan
Returning Officer

21 October 2013

From: KELLETT, Stephen
To: ["Tony"](#)
Subject: Election Decision - E2013/261 - casual vacancy
Date: Monday, 2 September 2013 12:07:00 PM
Attachments: [E2013 261 WCRANSW letter to assoc \(cas\). 2 Sept 2013.pdf](#)
[Election Decision E2013 261 WCRANSW \(signed\).pdf](#)

Dear Tony,

Please see attach correspondence and the Decision made in relation to the above.

Yours sincerely

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237
(email) stephen.kellett@fwc.gov.au



FAIR WORK
COMMISSION

2 September 2013

Mr Tony Khoury
Executive Director,
Waste Contractors & Recyclers Association of NSW
PO Box 6643
WETHERILL PARK BC NSW 2164

Dear Mr Khoury

**Re: Casual Vacancy election - Waste Contractors' & Recyclers Association of NSW
(E2013/261)**

I refer to the prescribed information lodged on 29 August 2013 under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* in relation to the above matter.

The election has been granted. A copy of the Delegate's Decision is enclosed.

Yours sincerely

Stephen Kellett
Senior Adviser, Regulatory Compliance Branch

From: KELLETT, Stephen
To: ["industrial.elections@aec.gov.au"](mailto:industrial.elections@aec.gov.au)
Subject: Election Decision - E2013/261 - Waste Contractors & Recyclers Association of NSW - casual vacancy
Date: Monday, 2 September 2013 11:54:00 AM
Attachments: [E2013 261 WCRANSW letter to AEC 2 Sept 2013.pdf](#)
[Election Decision E2013 261 WCRANSW \(signed\).pdf](#)

Dear Electoral Officer

Please see correspondence and the Decision made today in relation to the above.

Yours sincerely

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237
(email) stephen.kellett@fwc.gov.au



FAIR WORK
COMMISSION

2 September 2013

Electoral Commissioner Through
Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2013/261

RE: Waste Contractors & Recyclers Association of NSW

Positions:

See Decision

Relevant Information:

Contact: Mr Tony Khoury, Executive Director

Phone: (02) 9604 7206; (email) tony@wcra.com.au

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwc.gov.au.

Stephen Kellett
Regulatory Compliance Branch
Fair Work Commission



DECISION

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

Waste Contractors & Recyclers Association of NSW (E2013/261)

MR ENRIGHT

MELBOURNE, 2 SEPTEMBER 2013

Arrangement for conduct of election.

[1] On 29 August 2013 the Waste Contractors & Recyclers Association of NSW lodged with the Fair Work Commission the prescribed information in relation to an election to fill a casual vacancy in the following office:

Executive Member (1)

[2] I am satisfied that an election for the above-named 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 GENERAL MANAGER

Printed by authority of the Commonwealth Government Printer

<Price code A, PR541065>

From: KELLETT, Stephen
To: ["industrial.elections@aec.gov.au"](mailto:industrial.elections@aec.gov.au)
Subject: FW: Waste Contractors & Recyclers Association of NSW - election - casual vacancy - E2013/261
Date: Friday, 30 August 2013 1:11:00 PM
Attachments: [presc. information casual vacancy.pdf](#)

Dear Electoral Officer,

Please see prescribed information in relation to the above.

Yours sincerely

STEPHEN KELLETT
Regulatory Compliance Branch
FAIR WORK COMMISSION

80 William Street
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237
(email) stephen.kellett@fwc.gov.au

-----Original Message-----

From: Tony [<mailto:tony@wcra.com.au>]
Sent: Thursday, 29 August 2013 3:53 PM
To: KELLETT, Stephen
Cc: jeff_folley@agd.nsw.gov.au
Subject: Executive Elections

Dear Stephen, please see attached with the original in today's mail

Thanks & best regards,
Tony Khoury
Executive Director

Waste Contractors & Recyclers Association of NSW Suite 2, First Floor, 12-16 Daniel Street, Wetherill Park Please send all postal mail to:-
PO Box 6643 Wetherill Park BC NSW 2164

Phone 02 9604 7206 Fax 02 9604 7256
Mobile 0414 937 046 E Mail tony@wcra.com.au

WCRA - celebrating 65 years of service to the waste industry in NSW

The information contained in this E mail and any attachments is of a confidential nature and purely intended for the use of the addressee only.
Please observe proper business protocols in the use and/or distribution of all of this information. If there are any problems with any aspect of this E mail and/or attachments please advise me at the Waste Contractors & Recyclers Association of NSW on 02 9604 7206.

-----Original Message-----

From: pc@wcra.com.au [<mailto:pc@wcra.com.au>]
Sent: Thursday, 29 August 2013 5:50 PM
To: tonyk
Subject:

This E-mail was sent from "RNPE10107" (Aficio MP 3350).

Scan Date: 29.08.2013 15:49:43 (+0800)
Queries to: pc@wcra.com.au

From: [Tony](#)
To: [KELLETT, Stephen](#)
Cc: jeff_folley@agd.nsw.gov.au
Subject: Executive Elections
Date: Thursday, 29 August 2013 3:53:28 PM
Attachments: [20130829154943737.pdf](#)

Dear Stephen, please see attached with the original in today's mail

Thanks & best regards,
Tony Khoury
Executive Director
Waste Contractors & Recyclers Association of NSW
Suite 2, First Floor, 12-16 Daniel Street, Wetherill Park
Please send all postal mail to:-
PO Box 6643 Wetherill Park BC NSW 2164

Phone 02 9604 7206 Fax 02 9604 7256
Mobile 0414 937 046 E Mail tony@wcra.com.au

WCRA - celebrating 65 years of service to the waste industry in NSW

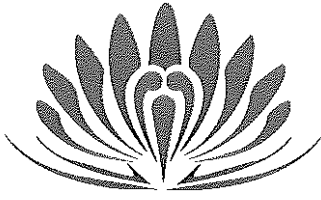
The information contained in this E mail and any attachments is of a confidential nature and purely intended for the use of the addressee only. Please observe proper business protocols in the use and/or distribution of all of this information. If there are any problems with any aspect of this E mail and/or attachments please advise me at the Waste Contractors & Recyclers Association of NSW on 02 9604 7206.

-----Original Message-----

From: pc@wcra.com.au [<mailto:pc@wcra.com.au>]
Sent: Thursday, 29 August 2013 5:50 PM
To: tonyk
Subject:

This E-mail was sent from "RNPE10107" (Aficio MP 3350).

Scan Date: 29.08.2013 15:49:43 (+0800)
Queries to: pc@wcra.com.au



WASTE CONTRACTORS &
RECYCLERS ASSOCIATION
OF N.S.W

ABN 72 805 135 472

Suite 2, First Floor
12-16 Daniel Street
Wetherill Park NSW 2164

PO Box 6643
Wetherill Park BC NSW 2164

Phone (02) 9604 7206
Fax (02) 9604 7256
Email tony@wcra.com.au

29th August 2013

Mr Stephen Kellett
Organisations, Research & Advice Branch
Fair Work Commission
Terrace Towers, 80 William Street
East Sydney NSW 2011

Re: Executive Elections

Dear Mr Kellett

Thank you for your e mail advice dated 19th August 2013.

Attached are two Statements of Prescribed Information setting out the details that you have requested.

The Association seeks approval from the Fair Work Commission for the conduct of these elections so that the Australian Electoral Commission can be appointed to then oversee and conduct these elections.

It is the preferred position of the Association that the Casual Vacancy Election takes place immediately prior to this election of Senior Executive Positions.

As a consequence, we look forward to your advice confirming the appointment of the Australian Electoral Commission (AEC) for the purposes of this Election.

For your information, we have been advised by Mr Jeff Folley from the NSW Industrial Relations Commission that they will issue a certificate pursuant to the preserved provisions of section 446 confirming that the Industrial Registrar agreeing to the appointment of the AEC for the conduct of these elections.

Please review this information and confirm back to WCRA, the FWC's agreement to these elections and if you require any further details.

Yours faithfully

Tony Khoury
Executive Director

Attach.

I Harry Wilson, being the President of the Waste Contractors & Recyclers Association of NSW, make the following statement:

- As the President of the Waste Contractors & Recyclers Association of NSW, I confirm that I am authorised to lodge the following prescribed information concerning Casual Vacancy Elections in the Waste Contractors & Recyclers Association of NSW;

And

- I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

Signed-



Harry Wilson

Dated 29th August 2013

Office	Executive Member
Number to be elected	One (1)
Reason for election	Election is required to fill a casual vacancy on the Executive that occurred on 2 nd August 2013 (resulting from the death of the Association's Secretary, Mr Gary Leach of SITA Australia)
Voting system	As per Rule 25, the voting system will be a secret ballot of members of the Executive in accordance with Rule 24
Voting method	Secret ballot as per Rule 24 c
Elected by	The electorate for the casual vacancy is by the Executive (Rule 25 b ii)
Nominations open	As determined by the Returning Officer (Rule 24)
Nominations close	As determined by the Returning Officer (rule 24)