

Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks,  
Cemeteries and Racecourse, Public Authorities, Water Boards Union  
**Part 2**

## **Declaration of Results for Uncontested Offices**

**E2013/189**

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.

### **Union Council**

#### **Union President**

Candidates

JAMES, David

#### **Union Vice-Presidents (4)**

Candidates

CRAWFORD, Peter

WILTON, Richard

No further nominations were accepted

#### **Union Treasurer**

Candidates

HUTCHINGS, Angus (Gus)

#### **Union Trustees (3)**

Candidates

HARDS, Richard

No further nominations were accepted

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



Margret Mitchell  
Returning Officer

28 November 2013



**Western Australian Shire Councils, Municipal Road Boards, Health  
Boards, Parks, Cemeteries and Racecourses, Public Authorities,  
Water Boards Union  
Western Australian Division**

**Declaration of Results for Contested and Uncontested Offices**

**E2013/189**

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.

**Western Australian Division**

Total number of names on the roll of voters	<b>1339</b>
Ballot papers issued	<b>1339</b>
Replacement ballot papers issued	<b>0</b>
<b>Total Ballot Papers Issued</b>	<b>1339</b>
Ballot papers / envelopes returned for scrutiny	<b>288</b>
Less ballot papers / envelopes rejected at preliminary scrutiny	<b>9</b>
Adjusting balance	<b>0</b>
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>279</b>
Percentage of ballot papers returned to number issued	<b>21</b>
Ballot papers returned as unclaimed mail	<b>21</b>
Ballot papers not returned	<b>1030</b>

**Division Executive Committee Member (6)**

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
BRAND, Raymond	226	226
LOVE, Martyn	254	254
HUTCHINGS, Angus (Gus)	242	242
WILTON, Richard	246	246
HARDS, Richard	239	239
THOMPSON, Brett	236	236
SIGGLEKOW, Graham H	156	156
Exhausted Votes		<b>0</b>
Loss/Gain by Fraction		<b>0</b>
Total votes	<b>1599</b>	<b>1599</b>
Formal ballot papers	<b>274</b>	<b>274</b>
Informal ballot papers	<b>5</b>	<b>5</b>

I declare Raymond Brand, Richard Hards, Angus (Gus) Hutchings, Martyn Love, Brett Thompson and Richard Wilton elected.

**Division President**

Candidates

JAMES, David John

I declare David John James elected.

**Division Vice-President**

Candidates

CRAWFORD, Peter

I declare Peter Crawford elected.

**Division Treasurer**

Candidates

BALLANTYNE, Andrea Ginette

I declare Andrea Ginette Ballantyne elected.

**Division Secretary**

Candidates

JOHNSON, Andrew Gerard

I declare Andrew Gerard Johnson elected.

**Division Trustee (3)**

Candidates

HICKS, Carolanne

I declare Carolanne Hicks elected.  
No other nominations received.

**Division Conference Delegate from the Metropolitan Zone**

Candidates

MAJOR, Greg

I declare Greg Major elected.

**Division Conference Delegate from the Central Districts Zone**

Candidates

No nomination was received



No candidates elected.

**Division Conference Delegate from the South Western Zone**

Candidates

No nomination was received

No candidates elected.

**Division Conference Delegate from the Coastal Districts Zone**

Candidates

BENTINK, Bernard

I declare Bernard Bentink elected.

**Division Conference Delegate from the Goldfields Zone**

Candidates

CULLEN, Ron

I declare Ron Cullen elected.

**Division Conference Delegate from the Murchison Zone**

Candidates

MAVER, Dale James

I declare Dale James Maver elected.

**Division Conference Delegate from the Pilbara Zone**

Candidates

No nomination was received

No candidates elected.

**Division Conference Delegate from the Kimberley-Territories Zone**

Candidates

No nomination was received

No candidates elected.

**Union Council**

**Union Council Representative (10)**



Candidates

BRAND, Raymond  
CRAWFORD, Peter  
HARDS, Richard  
HICKS, Carolanne  
HUTCHINGS, Angus (Gus)  
JAMES, David John  
LOVE, Martyn  
SIGGLEKOW, Graham H  
THOMPSON, Brett

I declare Raymond Brand, Peter Crawford, Richard Hards, Carolanne Hicks, Angus (Gus) Hutchings, David John James, Martyn Love, Graham H Sigglekow and Brett Thompson elected.

No other nominations received.

**Union Secretary**

Candidates

JOHNSON, Andrew Gerard

I declare Andrew Gerard Johnson elected.

**Union Assistant Secretary**

Candidates

BALLANTYNE, Andrea Ginette

I declare Andrea Ginette Ballantyne elected.

*M. Mitchell*

Margret Mitchell  
Returning Officer  
Australian Electoral Commission

8 October 2013

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

**Client:** Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union

**Contact details:** Mr Andrew Gerard Johnson

**Email:** [lgrceu@tpg.com.au](mailto:lgrceu@tpg.com.au)  
**Tel:** 08 9328 7159

**FWA contact officer:** Liz Mercovich

**Email:** [elizabeth.mercovich@fwc.gov.au](mailto:elizabeth.mercovich@fwc.gov.au)  
**Tel:** 03 8661 7972

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2013/189

**RULES**

[297V: Incorporates alterations of 6/8/08][R2008/285]

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

The roll was supplied by the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union and used to conduct the contested election in Part 1.

**IRREGULARITIES**

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

Other irregularities identified, and action taken: NIL

**ATTACHMENTS**

Declaration of Results for Contested and Uncontested Offices for Parts 1 and 2

Margret Mitchell  
Returning Officer  
28 November 2013



## DECISION

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

**Western Australian Shire Councils, Municipal Road Boards, Health  
Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water  
Boards Union**  
(E2013/189)

CHRIS ENRIGHT

MELBOURNE, 1 JULY 2013

*Arrangement for conduct of election.*

[1] On 23 May and 24 June 2013, the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union (the organisation) lodged with the Fair Work Commission (the Commission) the prescribed information in relation to an election for the following offices:

**Western Australian Division:**

Union Council Representative (10)  
President  
Vice President  
Treasurer  
Secretary  
Trustee (3)  
Committee person (6)

**Conference Zone Delegate:**

Metropolitan  
Central Districts  
South Western  
Coastal Districts  
Goldfields  
Murchison  
Pilbara  
Kimberley-Territories

**National:**

Union Secretary  
Union Assistant Secretary  
Union President  
Union Vice President (4)  
Union Treasurer  
Union Trustee (3)

[2] The prescribed information lodged on 23 May 2013 related to an election for the offices of Union President, Union Vice President (4), Union Treasurer and Union Trustee (3) and to fill casual vacancies for Western Australian Division Union Council Representative (2) and Western Australian Division Vice President. On 13 June 2013, the organisation was advised by the Commission that, in accordance with the rules of the organisation, elections for the offices appearing above are now required to be conducted. On 24 June 2013, the organisation lodged amended prescribed information with the Commission requesting that an election be conducted for the abovenamed offices. Accordingly, there is no need to make arrangements for a casual vacancy election for the offices of Western Australian Division Union Council Representative (2) and Western Australian Division Vice President as a scheduled election for those offices is now to be conducted.

[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 GENERAL MANAGER  
FAIR WORK COMMISSION

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## MERCOVICH, Elizabeth

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**From:** Carol [lgrceu@tpg.com.au]  
**Sent:** Tuesday, 25 June 2013 4:26 PM  
**To:** MERCOVICH, Elizabeth  
**Subject:** RE; REQUESTED MEMBERSHIP NUMBERS AS OF DECEMBER 31st 2012

Good Afternoon Ms Mercovich,

Andrew Johnson, Secretary of the LGRCEU requested that I email you the Unions Membership Count as of the 31st of December, 2012 which was 1307 members.

Please contact Carolanne at the Union either via return email or phone 9328 5854 if any further information is required.

Kindest regards,  
Carolanne  
Membership Officer  
LGRCEU

# LGRCEU



*Western Australian Shire Councils, Municipal Road Boards,  
Health Boards, Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Union*

SECRETARY ANDREW JOHNSON

PO BOX 183 LEEDERVILLE WA 6007

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1800 199 945

FORMERLY THE   
FOR OVER 109 YEARS

24 June 2013

The General Manager  
Fair Work Commission, 11 Exhibition Street, MELBOURNE VIC 3001  
BY EMAIL: [melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)

Dear General Manager,

## UNION EXECUTIVE ELECTION ALL OFFICES

I am the duly elected Secretary of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries, Racecourse, Public Authorities and Water Boards Union, (the Union) having been declared elected for a four year term by the Returning Officer appointed by the Australian Electoral Commission in July 2010.

In a letter from Mr Richter of the Regulatory Branch of the Fair Work Commission, the Union's attention was drawn to the requirement within the Union's rules that the Union Executive is elected for a term of one year and that is to take place at the Annual General Meeting of the Union Council Rule 17 (1) of the general rules.

In the elections conducted in 2010, it had been considered that the term of each executive member was four years. The union has examined the advice from Mr Richter and accepts the view that was expressed in the correspondence.

It follows that there needs to be an election conducted to fill the vacancies. Rule 23 would seem to require the election of the three Union Trustees in the same fashion as the Union Executive.

On Thursday the 14 of June 2013 I received further phone advice from Ms Elizabeth Mercovich from the Regulatory Branch of the Fair Work Commission advising me verbally that the election request would require amending to comply with the organisations rules, specifically Rule 21 sub rule (3) of the UNION GENERAL RULES.

Consequently, the application seeks that there also be an election held for the election of the office of UNION SECRETARY and for the office of UNION ASSISTANT SECRETARY.

# LGRCEU



*Western Australian Shire Councils, Municipal Road Boards,  
Health Boards, Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Union*

SECRETARY ANDREW JOHNSON

PO BOX 183 LEEDERVILLE WA 6007

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23 May 2013

The General Manager  
Fair Work Commission, 11 Exhibition Street, MELBOURNE VIC 3001

BY EMAIL: [melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)

Dear General Manager,

## UNION DIVISION ELECTION DIVISION COUNCILLORS (2) AND WA DIVISION VICE PRESIDENT

I am the duly elected Secretary of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries, Race Course, Public Authorities and Water Boards Union, Western Australian Division (the Union) having been declared elected for a four year term by the Returning Officer appointed by the Australian Electoral Commission in July 2010.

In a letter from Mr Richter of the Regulatory Branch of the Fair Work Commission, the Union's attention was drawn to the requirement within the Union's rules that the Union Executive is elected for a term of one year and that is to take place at the Annual General Meeting of the Union Council Rule 17 (1) of the general rules.

In the elections conducted in 2010, it had been considered that the term of each executive member was four years. The union has examined the advice from Mr Richter and accepts the view that was expressed in the correspondence. It follows that there needs to be an election conducted to fill the vacancies.

The Union seeks to conduct the Federal Executive elections. Separate correspondence deals with that. However, given that there is only one Division and there is a vacancy for two Councillors, it is necessary to complete the election of Councillors to fill a casual vacancy before completing the requirements of Rule 17. The Rules of the Division require that an election be conducted where the unexpired term of a Councillor who vacates the position exceeds twelve months.

As the duly elected Secretary, I hereby make application for the conduct of an election to be conducted for the position of Union Councillor (Western Australian Division).

It will be noted from the Rules that the existing election process is carried out at the Annual General Meeting and does not provide for an express period for nominations to be lodged or for the closing of the roll. In the request for an election, the Union has nominated time frames that it considers reasonable having regard for the size of the electorate.

The details of the request are as set out below.

1. OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

Union Councillor (Western Australian Division) (2)  
WA Division Vice President

2. REASON FOR THE ELECTION

To fill a casual vacancy for two positions of Councillor to the (Federal) Union Council. There is more than a year remaining in the term of office for the elected Councillor John Mears who had left the industry and Stuart Auld who has resigned effective from May 22 2013 from positions Councillor to the Federal union and the position of WA Division Vice President

The election will allow the Union to move to an election of officers for the Union Office Bearers pursuant to the advice of FWA and the requirements of Rules 17 and 23.

3. ELECTORATE

All members of the Western Australian Division of the Union.

4. NOMINATION PERIOD

Nominations for all positions should be opened at the earliest possible practical date approved by the Fair Work Commission and by the Australian Electoral Commission.

5. CUT OFF DATE FOR THE ROLL

Seven (7) days from the commencement of the nomination period

6. TYPE OF VOTING SYSTEM

Direct

a. c. Johnson 23/5/2012

Signed by Andrew Gerard Johnson as the Officer of the Union authorise to make this application

# LGRCEU



*Western Australian Shire Councils, Municipal Road Boards,  
Health Boards, Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Union*

SECRETARY ANDREW JOHNSON

PO BOX 183 LEEDERVILLE WA 6007

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FORMERLY THE   
FOR OVER 109 YEARS

23 May 2013

The General Manager  
Fair Work Commission, 11 Exhibition Street, MELBOURNE VIC 3001  
**BY EMAIL: [melborunc@fwa.gov.au](mailto:melborunc@fwa.gov.au)**

Dear General Manager,

## UNION EXECUTIVE ELECTION

I am the duly elected Secretary of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries, Race Course, Public Authorities and Water Boards Union, (the Union) having been declared elected for a four year term by the Returning Officer appointed by the Australian Electoral Commission in July 2010.

In a letter from Mr Richter of the Regulatory Branch of the Fair Work Commission, the Union's attention was drawn to the requirement within the Union's rules that the Union Executive is elected for a term of one year and that is to take place at the Annual General Meeting of the Union Council Rule 17 (1) of the general rules.

In the elections conducted in 2010, it had been considered that the term of each executive member was four years. The union has examined the advice from Mr Richter and accepts the view that was expressed in the correspondence. It follows that there needs to be an election conducted to fill the vacancies. Rule 23 would seem to require the election of the three Union Trustees in the same fashion as the Union Executive.

The election would be subject to the completion of the Union Councillor election which is dealt with in separate correspondence. The election is necessary so the Union can proceed with the statutorily required changes to the rules.

As the duly Secretary, I hereby make application for the conduct of an election to be conducted for the positions of Union President, 4 Union Vice Presidents and a Union Treasurer.

It will be noted from the Rules that the existing election process is carried out at the Annual General Meeting and does not provide for an express period for nominations to be lodged or for the closing of the roll. In the request for an election, the Union has nominated time frames that it considers reasonable having regard for the size of the electorate.

The details of the request are as set out below.

1. OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

Union President

Union Vice President (4 positions)

Union Treasurer

Union Trustees (3 positions)

2. REASON FOR THE ELECTION

To bring the Union into compliance with Rules 17(1) and 23 of the Union's General Rules

3. ELECTORATE

All members of the Union Council elected in accordance with the Rules of the Division that they represent. This means in practice the WA Division as it is the only Division in the Union.

4. NOMINATION PERIOD

Nominations for all positions should be opened at the earliest possible practical date approved by the Fair Work Commission and by the Australian Electoral Commission.

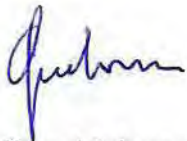
The Unions rules generally provide that the nominations for office and the elections take place at and on the day(s) of the Union Annual General Meeting. Given the small electorate, the Union seeks to apply a nomination period of fourteen (14) days

5. CUT OFF DATE FOR THE ROLL

Seven (7) days from the commencement of the nomination period

6. TYPE OF VOTING SYSTEM

Direct

a. a. 

23/5/2013

Signed by Andrew Gerard Johnson as the Officer of the Union authorise to make this application



The election for the UNION EXECUTIVE and TRUSTEES would be subject to the completion of the Union Councilor elections which is dealt with in separate correspondence. The election is necessary so the Union can proceed with the statutorily required changes to the rules.

As the duly Secretary, I hereby make application for the conduct of an election to be conducted for the positions of Union President, (4) Union Vice Presidents, Union Trustee (3) and a Union Treasurer, Assistant Union Secretary and Union Secretary.

It will be noted from the Rules that the existing election process is carried out at the Annual General Meeting and does not provide for an express period for nominations to be lodged or for the closing of the roll. In the request for an election, the Union has nominated time frames that it considers reasonable having regard for the size of the electorate.

The details of the request are as set out below.

#### 1. OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

Union Secretary (4 year term)

Union Assistant Secretary (4 year term)

Union President (1 year term)

Union Vice President (4 positions)

Union Treasurer (1 year term)

Union Trustees (3 positions) (1 year term)

#### 2. REASON FOR THE ELECTION

To bring the Union into compliance with Rules 17(1) 21 (3) and 23 of the Union's General Rules

#### 3. ELECTORATE

In respect of the above Offices (excepting the Offices of Secretary and Assistant Secretary) all members of the Union Council elected in accordance with the Rules of the Division that they represent. This means in practice the WA Division as it is the only Division in the Union In respect of the Offices of Secretary and Assistant Secretary, all members of the Western Australian Division.

#### 4. NOMINATION PERIOD

Nominations for all positions should be opened at the earliest possible practical date approved by the Fair Work Commission and by the Australian Electoral Commission.

The Unions rules generally provide that the nominations for office and the elections take place at and on the day(s) of the Union Annual General Meeting. Given the small electorate, the Union seeks to apply a nomination period of fourteen (14) days excepting for the offices of Union Secretary and Assistant Union Secretary which should be twenty one (21) days.

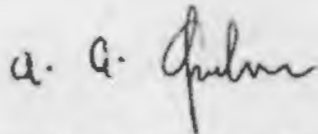
5. CUT OFF DATE FOR THE ROLL

Seven (7) days from the commencement of the nomination period (excepting offices of Union Secretary and Assistant Union Secretary which be twenty one (21) days) from the commencement of the nomination period.

6. TYPE OF VOTING SYSTEM

Direct

The union requests that in issuing the necessary orders for elections to be held that the current persons holding or acting in the Offices for which an election are to be held, continue until such time as the declaration of results is issued by the Australian Electoral Commission.



Signed by Andrew Gerard Johnson as the Officer of the Union authorised to make this application

LGRCEU



Western Australian Shire Councils,  
Municipal Road Boards, Health Boards,  
Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Union

# LGRCEU



Western Australian Shire Councils, Municipal Road Boards,  
Health Boards, Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Union

SECRETARY ANDREW JOHNSON

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FORMERLY THE   
FOR OVER 109 YEARS

24 June 2013

The General Manager  
Fair Work Commission, 11 Exhibition Street, MELBOURNE VIC 3001

**BY EMAIL: [melbourne@fwa.gov.au](mailto:melbourne@fwa.gov.au)**

Dear General Manager,

## UNION WA DIVISION ELECTION ALL OFFICES

I am the duly elected Secretary of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries, Race Course, Public Authorities and Water Boards Union, Western Australian Division (the Union) having been declared elected for a four year term by the Returning Officer appointed by the Australian Electoral Commission in July 2010.

The Union also seeks to conduct the Federal Executive elections. Separate correspondence deals with that.

We have been further advised, by Ms Elizabeth Mercovich of the Regulatory Branch of the Fair Work Commission on the 13<sup>th</sup> of June 2013, of the need for elections of the Western Australian Division of the Union to be held in accordance Rules 22 sub rule (3) and 29 (1) of the WESTERN AUSTRALIAN DIVISION GENERAL RULES.

As the duly elected Secretary, I hereby make application for the conduct of an election to be conducted for the below listed offices.

It will be noted from the Rules that the existing election process does not provide for an express period for nominations to be lodged or for the closing of the roll. In the request for an election, the Union has nominated time frames that it considers reasonable having regard for the size of the electorate.

The details of the request are as set out below.

## 1. OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

Western Australian Division:

Union Councillor (10)

President

Vice President

Treasurer

Secretary

Trustee (3)

Committee person (6)

Conference Zone Delegate for the following Zones:

- METROPOLITAN
- CENTRAL DISTRICTS
- SOUTH WESTERN
- COASTAL DISTRICTS
- GOLDFIELDS
- MURCHISON
- PILBARA
- KIMBERLEY-TERRITORIES

## 2. REASON FOR THE ELECTION

The election will allow the Union to move to an election of officers for the Union Office Bearers pursuant to the advice of FWA and the requirements of Rules 17 and 23 of the Union General Rules and to comply with Rules 22 (3) and 29 (1) of the WESTERN AUSTRALIAN DIVISION RULES

## 3. ELECTORATE

All members of the Western Australian Division of the Union.

## 4. NOMINATION PERIOD

Nominations for all positions should be opened at the earliest possible practical date approved by the Fair Work Commission and by the Australian Electoral Commission.

## 5. CUT OFF DATE FOR THE ROLL

Twenty one (21) days from the commencement of the nomination period

## 6. TYPE OF VOTING SYSTEM

Direct

The union requests that in issuing the necessary orders for elections to be held that the current persons holding or acting in those Offices for which an election are to be held, continue until such time as the declaration of results is issued by the Australian Electoral Commission.

*a. G. Johnson*

Signed by Andrew Gerard Johnson as the Officer of the Union authorised to make this application



Western Australian Shire Councils,  
Municipal Road Boards, Health Boards,  
Parks, Cemeteries and Racecourses,  
Public Authorities Water Boards Unions