



13 December 2016

Chief Executive
Local Government and Shires Association of New South Wales
lgsa@lgsa.org.au

Dear Chief Executive,

Notification of changes made to records [AR2016/125]

I acknowledge receipt of a Notification of Change to the office holders of the Local Government and Shires Association of New South Wales.

This information was lodged with the Fair Work Commission (the Commission) in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act). The table below outlines the changes notified and when they were lodged. Our records have been updated accordingly.

The document can be viewed on the Commission Website through the list of Registered Organisations - <https://www.fwc.gov.au/registered-organisations/find-registered-organisations>

Date of lodgement	Change
15 November 2016	President
15 November 2016	Treasurer
15 November 2016	Vice Presidents (2)
15 November 2016	Directors (14)

Please note that the RO Act requires that a notification of change must be lodged within 35 days of the change occurring. The notification indicates that some of the changes occurred more than 35 days prior to its lodgement. Please ensure that future notifications of change are lodged within 35 days of the change occurring.

Section 154D(1) of the RO Act requires the rules of organisations (and branches of organisations) to require 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 should be in your organisation's rules.

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

Thank you for the notification.

Yours sincerely,

Carolyn Moloney
Regulatory Compliance Branch

11 Exhibition Street
Melbourne VIC 3000
GPO Box 1994
Melbourne VIC 3001

Telephone: (03) 8661 7777
Email: orgs@fwc.gov.au
Facsimile: (03) 9655 0410
Internet: www.fwc.gov.au

Further contact: [REDACTED]

15 November 2016

Fair Work Commission
Level 10, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

To Whom It May Concern

Re: Notice of change to required records

The Local Government and Shires Association of New South Wales writes to notify the Fair Work Commission of changes made to records required to be kept under paragraph 230(1)(c) of the *Fair Work (Registered Organisations) Act 2009* (the "**Act**").

Attached is a declaration signed by the prescribed officer of the Local Government and Shires Association of New South Wales outlining the details of the changes to the records, and certifying that this is a correct statement of the changes made, in accordance with section 233(2) of the Act.

If you have any questions, please contact the undersigned on (02) 9242 4142.

Yours sincerely



Adam Dansie
Senior Manager Industrial Relations

Encl: Statutory Declaration of Donna Rygate, Chief Executive of the Local Government and Shires Association of New South Wales.

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I, Donna Rygate, Chief Executive of the Local Government and Shires Association of New South Wales ("LGNSW"), Level 8, 28 Margaret Street Sydney 2000

make the following declaration under the *Statutory Declarations Act 1959*:

2 *Set out matter declared to in numbered paragraphs*

1. I am duly authorised to give this declaration.
2. On 10 September 2016 Paul Hawker (formerly a Director Metropolitan/Urban council) and Mark Troy (formerly a Director Regional/Rural council) ceased to be Board Members as they did not stand for re-election at the recent NSW Local Government elections. As a result they have ceased to be Councillors from this date.
3. At the meeting of the LGNSW Board on 7 October 2016, Cr Zoe Baker was appointed to fill the casual vacancy in the Office of Director (Metropolitan/Urban council). Such appointment was made in accordance with Rule 46 (a) of the Association's rules.
4. Cr Michael Banasik was appointed to fill the casual vacancy in the office of Director (Regional/Rural council) at the meeting of the Board of Directors of LGNSW on 7 October 2016. Such appointment was made in accordance with Rule 46 (a) of the Association's rules.
5. On 24 October 2016 in accordance with Rule 43 (b) of the Association's rules, Cr Zoe Baker resigned as Director (Metropolitan/Urban council).
6. Cr Karen McKeown (Penrith City Council) was appointed by the LGNSW Board to fill the casual vacancy in the office of Director (Metropolitan/Urban council) on 27 October 2016. Such appointment was in accordance with Rules 46 (a) and 55 (c) of the Association's rules.
7. The record of office holders of the Local Government and Shires Association of New South Wales, required to be kept under section 230(1)(c) of the *Fair Work (Registered Organisations) Act 2009*, has been amended to remove persons that are no longer office holders and to include persons that have become office holders. The amended record of office holders of LGNSW is as follows:

Name	Office held	Postal address	Occupation
Cr Keith Rhoades AFSM	President	Coffs Harbour City Council Locked Bag 155 Coffs Harbour NSW 2450	Councillor
Cr Scott Bennison	Treasurer	Lane Cove Council PO Box 20 Lane Cove NSW 1595	Councillor
Cr William Pickering	Vice President (Metropolitan/Urban council)	City of Ryde Council Locked Bag 2069 North Ryde NSW 1670	Councillor
Cr Lindsay Brown	Vice President (Regional/Rural council)	Eurobodalla Council PO Box 99 Moruya NSW 2537	Councillor
Cr Christine Forster	Director (Metropolitan/Urban council)	City of Sydney Council GPO Box 1591 Sydney NSW 2001	Councillor
Cr Lesley Furneaux-Cook	Director (Metropolitan/Urban council)	Burwood Council PO Box 240 Burwood NSW 1805	Councillor
Cr Mazhar Hadid	Director (Metropolitan/Urban council)	Liverpool City Council Locked Bag 2064 Liverpool BC NSW 1871	Councillor

Cr Karen McKeown	Director (Metropolitan/Urban council)	Penrith City Council PO Box 60 Penrith NSW 2751	Councillor
Cr Yvonne Keane	Director (Metropolitan/Urban council)	The Hills Shire Council PO Box 7064 Baulkham Hills NSW 2153	Councillor
Cr Leo Kelly OAM	Director (Metropolitan/Urban council)	Blacktown City Council PO Box 63 Blacktown NSW 2148	Councillor
Cr Linda Scott	Director (Metropolitan/Urban council)	City of Sydney GPO Box 1591 Sydney NSW 2001	Councillor
Cr Ruth Fagan	Director (Rural/Regional council)	Cowra Shire Council Private Mail Bag 342 Cowra NSW 2794	Councillor
Cr Phyllis Miller OAM	Director (Rural/Regional council)	Forbes Shire Council PO Box 333 Forbes NSW 2871	Councillor
Cr Denise Osborne	Director (Rural/Regional council)	Greater Hume Shire Council 40 Balfour Street Culcairn NSW 2660	Councillor
Cr Alice Glachan	Director (Rural/Regional council)	Albury City Council PO Box 323 Albury NSW 2640	Councillor
Cr Rod Kendall	Director (Rural/Regional council)	Wagga Wagga City Council PO Box 20 Wagga Wagga NSW 2650	Councillor
Cr Michael Banasik	Director (Rural/Regional council)	Wollondilly Shire Council PO Box 21 Picton NSW 2571	Councillor
Cr Darriea Turley	Director (Rural/Regional council)	Broken Hill City Council PO Box 448 Broken Hill NSW 2880	Councillor

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 Signature of
person making
the declaration



4 Place
5 Day
6 Month and year

Declared at Sydney on 15th of November 2016

Before me,

7 Signature of
person before
whom the
declaration is
made (see over)



8 Full name,
qualification and
address of
person before
whom the
declaration is
made (in printed
letters)

Adam Dansie, Solicitor, of Level 8, 28 Margaret Street, Sydney, NSW, 2000

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described);
or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years of continuous service

Chief executive officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Employee of the Commonwealth who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority; or
- (c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution.

Further contact: [REDACTED]

5 August 2016

Fair Work Commission
Level 10, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

To Whom It May Concern

Re: Notice of change to required records

The Local Government and Shires Association of New South Wales writes to notify the Fair Work Commission of changes made to records required to be kept under paragraph 230(1)(c) of the *Fair Work (Registered Organisations) Act 2009 (the Act)*.

Attached is a declaration signed by the prescribed officer of the Local Government and Shires Association of New South Wales outlining the details of the changes to the records, and certifying that this is a correct statement of the changes made, in accordance with section 233(2) of the Act.

If you have any questions, please contact the undersigned on [REDACTED].

Yours sincerely



Adam Dansie
Manager Industrial Relations

Encl: Statutory Declaration of Donna Rygate, Chief Executive, Local Government and Shires Association of New South Wales.

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I, Donna Rygate, Chief Executive of the Local Government and Shires Association of New South Wales ("LGNSW"), Level 8, 28 Margaret Street Sydney 2000

make the following declaration under the *Statutory Declarations Act 1959*:

2 *Set out matter declared to in numbered paragraphs*

1. I am duly authorised to give this declaration.
2. At a biennial election for offices of LGNSW, conducted in conjunction with LGNSW's Annual Conference on 12 October 2015, an irregularity occurred, whereby some voting delegates (from Hawkesbury City Council) were wrongly included on one roll of voters (Rural/Regional) rather than another (Metropolitan/Urban). The irregularity was the subject of proceedings before Justice Buchanan of the Federal Court of Australia in *Re: In the matter of an election for offices in the Local Government and Shires Association of New South Wales* [2016] FCA 327 (File Number: NSD 53 of 2016) (the "election inquiry matter").
3. At a hearing of the election inquiry matter on 29 March 2016 the Federal Court of Australia declared that the election of the following persons to the following offices of the Board of Directors of LGNSW declared 16 October 2015 is void and that each such person is declared not to have been elected:
 - (i) Bill Pickering to the office of Vice President Metropolitan/Urban;
 - (ii) Greg Matthews to the office of Vice President Rural/Regional;
 - (iii) Darriea Turley to the office of Director Rural/Regional (2nd elected);
 - (iv) Phyllis Miller to the office of Director Rural/Regional (3rd elected);
 - (v) Lindsay Brown to the office of Director Rural/Regional (4th elected);
 - (vi) Denise Osborne to the office of Director Rural/Regional (5th elected);
 - (vii) Mark Troy to the office of Director Rural/Regional (6th elected);
 - (viii) Ruth Fagan to the office of Director Rural/Regional (7th elected);
 - (ix) Yvonne Keane to the office of Director Metropolitan/Urban (3rd elected);
 - (x) Paul Hawker to the office of Director Metropolitan/Urban (4th elected);
 - (xi) Linda Scott to the office of Director Metropolitan/Urban (5th elected);
 - (xii) Julie Hegarty to the office of Director Metropolitan/Urban (6th elected);
 - (xiii) George Glinatsis to the office of Director Metropolitan/Urban (7th elected).
4. The Federal Court of Australia also issued orders directing the General Manager of the Fair Work Commission to make arrangements for the conduct of an election (the "further election") for the above offices.
5. On 12 May 2016 the NSW State Government amalgamated 42 councils, created 19 new councils, and pursuant to s218A(c) of the *Local Government Act 1993* (NSW) the councillors of the 42 amalgamated councils ceased to hold office.
6. One of the council amalgamations to occur of 12 May 2016 was the amalgamation of Dubbo City Council and Wellington Shire Council to form the new Western Plains Regional Council. As a consequence of this amalgamation, Cr Ben Shields (whose election to the Board of Directors of LGNSW in October 2015 was not affected by the election irregularity) ceased to be a Councillor and as a consequence, ceased to be a Director on the Board of LGNSW pursuant to Rule 50 of the LGNSW Rules.
7. Also amalgamated on 12 May 2016 were Bankstown City Council and Canterbury City Council to form the new Canterbury-Bankstown Council, and Ashfield Council, Leichhardt Municipal Council and Marrickville Council to form the new Inner West Council. As a consequence of these amalgamations, Crs Khaldoun Asfour (Bankstown City Council) and Monica Wangmann (Ashfield Council), who were candidates in the election for the office of Vice President (Metropolitan/Urban councils) ceased to be Councillors and as a consequence of ceasing to be Councillors, ceased to be eligible to be a Director on the Board of LGNSW pursuant to Rule 37 of the LGNSW Rules. This meant that the only

remaining eligible candidate for election to the office of Vice President (Metropolitan/Urban councils) was Cr William Edward Pickering from Ryde City Council.


8. On 3 June 2016 the Federal Court of Australia made further orders in the election inquiry matter. Such further orders included an order declaring Cr William Edward Pickering elected to the office of Vice President (Metropolitan/Urban councils).
9. The further election required as a consequence of the election inquiry matter was conducted by the Australian Electoral Commission ("AEC") in June 2016 and the results of such further election were declared by the AEC on 1 July 2016 with the following persons being declared elected:
 - Lindsay Brown to the office of Vice President Rural/Regional;
 - Christine Forster to the office of Director (Metropolitan/Urban council);
 - Lesley Furneaux-Cook to the office of Director (Metropolitan/Urban council);
 - Paul Hawker to the office of Director (Metropolitan/Urban council);
 - Yvonne Keane to the office of Director (Metropolitan/Urban council);
 - Linda Scott to the office of Director (Metropolitan/Urban council).
 - Ruth Fagan to the office of Director (Rural/Regional council);
 - Alice Glachan to the office of Director (Rural/Regional council);
 - Rod Kendall to the office of Director (Rural/Regional council);
 - Phyllis Miller to the office of Director (Rural/Regional council);
 - Denise Osborne to the office of Director (Rural/Regional council);
 - Darriea Turley to the office of Director (Rural/Regional council);
10. At a meeting of the Board of Directors of LGNSW on 5 August 2016, Cr Mark Troy (Bellingen Shire Council) was appointed to fill the casual vacancy created due to Ben Shields ceasing to be a Director of the Board of LGNSW (see paragraph 6 above). Such casual vacancy was filled in accordance with Rule 46(a) of the LGNSW Rules.
11. The record of office holders of the Local Government and Shires Association of New South Wales, required to be kept under section 230(1)(c) of the *Fair Work (Registered Organisations) Act 2009*, has been amended to remove persons that are no longer office holders and to include persons that have become office holders. The amended record of office holders of LGNSW is as follows:

Name	Office held	Postal address	Occupation
Cr Keith Rhoades AFSM	President	Coffs Harbour City Council Locked Bag 155 Coffs Harbour NSW 2450	Councillor
Cr Scott Bennison	Treasurer	Lane Cove Council PO Box 20 Lane Cove NSW 1595	Councillor
Cr William Pickering	Vice President (Metropolitan/Urban council)	City of Ryde Council Locked Bag 2069 North Ryde NSW 1670	Councillor
Cr Lindsay Brown	Vice President (Regional/Rural council)	Eurobodalla Council PO Box 99 Moruya NSW 2537	Councillor
Cr Christine Forster	Director (Metropolitan/Urban council)	City of Sydney Council GPO Box 1591 Sydney NSW 2001	Councillor
Cr Lesley Furneaux-Cook	Director (Metropolitan/Urban council)	Burwood Council PO Box 240 Burwood NSW 1805	Councillor
Cr Mazhar Hadid	Director (Metropolitan/Urban council)	Liverpool City Council Locked Bag 2064 Liverpool BC NSW 1871	Councillor
Cr Paul Hawker	Director (Metropolitan/Urban council)	Campbelltown City Council PO Box 57 Campbelltown NSW 2560	Councillor

Cr Yvonne Keane	Director (Metropolitan/Urban council)	The Hills Shire Council PO Box 7064 Baulkham Hills NSW 2153	Councillor
Cr Leo Kelly OAM	Director (Metropolitan/Urban council)	Blacktown City Council PO Box 63 Blacktown NSW 2148	Councillor
Cr Linda Scott	Director (Metropolitan/Urban council)	City of Sydney GPO Box 1591 Sydney NSW 2001	Councillor
Cr Ruth Fagan	Director (Rural/Regional council)	Cowra Shire Council Private Mail Bag 342 Cowra NSW 2794	Councillor
Cr Phyllis Miller OAM	Director (Rural/Regional council)	Forbes Shire Council PO Box 333 Forbes NSW 2871	Councillor
Cr Denise Osborne	Director (Rural/Regional council)	Greater Hume Shire Council 40 Balfour Street Culcairn NSW 2660	Councillor
Cr Alice Glachan	Director (Rural/Regional council)	Albury City Council PO Box 323 Albury NSW 2640	Councillor
Cr Rod Kendall	Director (Rural/Regional council)	Wagga Wagga City Council PO Box 20 Wagga Wagga NSW 2650	Councillor
Cr Mark Troy	Director (Rural/Regional council)	Bellingen Shire Council 33-39 Hyde Street Bellingen NSW 2454	Councillor
Cr Darriea Turley	Director (Rural/Regional council)	Broken Hill City Council PO Box 448 Broken Hill NSW 2880	Councillor

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 Signature of
person making
the declaration




4 Place
5 Day
6 Month and year

Declared at Sydney on 5th of August 2016

Before me,

7 Signature of
person before
whom the
declaration is
made (see over)



8 Full name,
qualification and
address of
person before
whom the
declaration is
made (in printed
letters)

Adam Dansie, Solicitor, of Level 8, 28 Margaret Street, Sydney, NSW, 2000

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the *Statutory Declarations Act 1959* may be made before—

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) a person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
Bailliff

Bank officer with 5 or more continuous years of service
Building society officer with 5 or more years of continuous service
Chief executive officer of a Commonwealth court
Clerk of a court

Commissioner for Affidavits
Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Employee of the Commonwealth who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority; or
- (c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution.

MOLONEY, Carolyn

Subject: FW: Local Government and Shires Association of NSW - Board
Attachments: LGNSW 2015 Board election FCA decision of Buchanan J 050416.pdf; LGNSW Board election notice April 2016.pdf

From: Charles McElroy [REDACTED]
Sent: Thursday, 21 April 2016 6:29 AM
To: VALE, David
Subject: Local Government and Shires Association of NSW - Board

Attention:
David Vale
Regulatory and Compliance Branch
Fair Work Commission

Dear Mr Vale

The purpose of this email to advise the Fair Work Commission of developments in relation to the election of the Board of LGNSW as defined in the (Federal) Rules of LGNSW, and is for information purposes only.

An election for the following offices was held at the LGNSW Annual Conference in October 2015:

President
Vice President from a Metropolitan/Urban Council
Vice President from a Rural/Regional Council
Treasurer
Director from a Metropolitan/Urban Council
Director from a Rural/Regional Council

The election was conducted by the Australian Electoral Commission (AEC). On 13 October 2015 the AEC declared the election for President and Treasurer, and the election for the remaining positions was declared on 16 October 2015. By that time it was apparent that voting delegates from one council were included in the wrong voting category.

This irregularity resulted in the Electoral Commissioner applying to the Federal Court of Australia (FCA) for an inquiry into the election.

The inquiry was held on 29 March 2016 by Buchanan J of the FCA and on 5 April 2016 orders were made. A copy of the decision and orders is attached.

The effect of the orders is that LGNSW is required to conduct an election for the two Vice President positions, five Directors from a Metropolitan/Urban Council, and six Directors from a Rural/Regional Council. The AEC has directed that the election take place pursuant to the LGNSW Rules as they existed at the time of the election in October 2015 (ie before changes approved at the 2015 Conference and recently consented to by the Fair Work Commission).

On 14 April 2015 the AEC issued an Election Notice, a copy of which is attached. Each ordinary member must nominate its voting delegate(s) for the postal ballot by 12 noon on 2 June 2016.

The Fair Work Commission is advised that there are currently five Board members and the current Rules provide for a quorum of fifty per cent of the total number of Board members holding office, plus one.

If you have any questions in relation to this information please contact the Senior Manager Industrial Relations Adam Dansie.

Yours sincerely

Charles McElroy

**CHARLES MCELROY
SENIOR INDUSTRIAL OFFICER
LOCAL GOVERNMENT NSW**



15 March 2016

Mr Keith Rhoades
President
Local Government and Shires Association of New South Wales

By email

Dear Mr Rhoades,

Annual Return of Information for 2016 [AR2016/125]

I acknowledge receipt on 26 February 2016 of your Declaration providing information in accordance with subsection 233(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).

The documents lodged cover the required information for the 2016 Annual Return of Information of Local Government and Shires Association of New South Wales.

The documents have been filed and can be viewed on the Fair Work Commission website through the List of Registered Organisations - <http://www.fwc.gov.au/index.cfm?pagename=regorgslist>

Notifications of Change

Any changes to these records must be notified to the Commission within 35 days of the change. A template Notification of Change Declaration is available on the [fact-sheets](#) page of our website. Local Government and Shires Association of New South Wales is encouraged to use this template if any changes occur.

Yours sincerely

Carolyn Moloney
Regulatory Compliance Branch

ANNUAL RETURN OF INFORMATION (organisation with no branches) in accordance with Regulation 147 *Fair Work (Registered Organisations) Regulations 2009* and Sections 230 and 233 *Fair Work (Registered Organisations) Act 2009*

AR16/125

I, Keith Rhoades, being the President of the Local Government and Shires Association of New South Wales (the "organisation"), declare the following:

1. I am authorised to make this declaration.
2. The register of members has, during the immediately preceding calendar year, been kept and maintained as required by s.230(1)(a) and s.230(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act).
3. The following is a correct statement of the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the Act:
 - The address of the organisation is Level 8, 28 Margaret Street, Sydney, NSW, 2000.
 - The organisation has no branches and no branches have ceased or commenced in the previous 12 months.¹
 - On 31 December in the previous year the number of members was 153 Ordinary members and 13 Associate members.
 - A list of offices and the names, postal addresses and occupations of persons holding those offices as at the date of this declaration is attached at Annexure A and forms part of this declaration.
 - Under the rules of the organisation elections are held biennially with the last election held at the annual conference on 11 – 13 October 2015.

¹ s.230(1)(d); reg.147(a), (b), (c) & (d)

- The organisation has not entered into an agreement under s.151(1) of the Act with a state union.

Signed:



President

Dated:

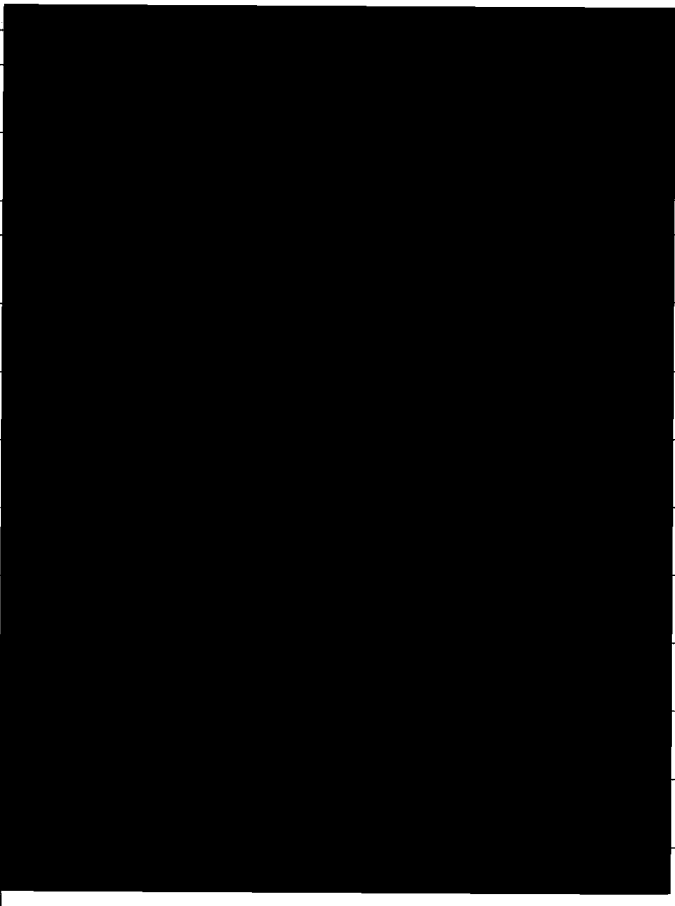
26/2/16

[PLEASE NOTE: This declaration must be lodged with the Fair Work Commission by 31 March. It can be submitted to orgs@fwc.gov.au. If at any time in the year this information changes a Notification of Changes must be lodged with the Commission within 35 days of the change².]

² s.233(2); reg. 151

ANNEXURE A

- Offices and Office Holders in the Organisation [*insert as many pages as required*]:

Name of Office (include any offices that are vacant)	Name of Office Holder	Postal Address of Office Holder	Occupation of Office Holder
President	Keith Rhoades		Councillor
Vice President (Metropolitan /Urban)	William (Bill) Pickering		Councillor
Vice President (Regional / Rural)	Greg Matthews		Councillor
Treasurer	Scott Bennison		Councillor
Committee member (Regional/Rural)	Ben Shields		Councillor
Committee member (Regional/Rural)	Mark Troy OAM		Councillor
Committee member (Metropolitan/Urban)	Julie Hegarty		Councillor
Committee member (Metropolitan/Urban)	Yvonne Keane		Councillor
Committee member (Metropolitan/Urban)	George Glinatsis		Councillor
Committee member (Metropolitan/Urban)	Paul Hawker		Councillor
Committee member (Metropolitan/Urban)	Mazhar Hadid		Councillor
Committee member (Regional/Rural)	Darriea Turley		Councillor
Committee member (Metropolitan/Urban)	Leo Kelly OAM		Councillor
Committee member (Regional/Rural)	Lindsay Brown		Councillor

Committee member (Regional/Rural)	Ruth Fagan		Councillor
Committee member (Regional/Rural)	Phyllis Miller		Councillor
Committee member (Metropolitan/Urban)	Linda Scott		Councillor
Committee member (Regional/Rural)	Denise Osborne		Councillor



10 February 2016

Mr Bruce Morcombe
Chief Executive Officer
Local Government and Shires Association of New South Wales

By email: lgsa@lgsa.org.au

Dear Mr Morcombe,

**Local Government and Shires Association of New South Wales
Annual Return of Information for 2016 [AR2016/125]**

This is a courtesy letter to remind you of the obligation to lodge an Annual Return of Information for 2016 in respect of the Local Government and Shires Association of New South Wales by **31 March 2016**.

A signed and dated declaration certifying matters prescribed in the *Fair Work (Registered Organisations) Act 2009* (the RO Act) must be lodged with the Fair Work Commission (the Commission) by that date. The matters to be included in the declaration are set out in the attached checklist.

The declaration must be signed by the Secretary, or where applicable, such other elected official who is required under the rules or by resolution of the organisation, to keep the relevant records (other prescribed officer). A declaration signed by a non-elected person does not meet this requirement. Further, you are reminded that the Secretary or other prescribed officer must also notify the Commission within 35 days of any changes to such records that may occur throughout the year.

As previously advised, section 233 places the onus of lodgement on the organisation and not on each individual branch. It is therefore the national body that is obliged to collate and lodge all of the required information. Annual Return templates are available on the Commission website at [Registered Organisations fact sheets](#), one for an [organisation with branches](#) and one for an [organisation without branches](#).

Once an Annual Return has been lodged, a copy will be posted on our website at [List of Registered Organisations](#). Therefore, to protect the privacy of the relevant office holders listed in the declarations, it is recommended that officers list their official mailing address rather than personal home address.

We encourage you to lodge all returns electronically (e.g. as a pdf file) at orgs@fwc.gov.au. Please ensure that emailed documents include signatures where required.

Please note: failure to comply with these obligations is subject to a civil penalty provision (up to \$54,000 for a body corporate and \$10,800 for an individual per contravention), under s.305 of the RO Act. Finally, in maintaining the register of members, your attention is drawn to the circumstances where membership ceases to exist (s.230(2)(b) and s.171A of the RO Act).

Please do not hesitate to contact the Commission by phone on (03) 8661 7777 or by e-mail at orgs@fwc.gov.au if you wish to discuss the requirements outlined in this correspondence.

Yours sincerely,

Anastasia Kyriakidis
Assistant Adviser
Regulatory Compliance Branch

Obligation to lodge Annual Return of Information by 31 March

For full details see ss.230-233 of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and rr.147-151 of the *Fair Work (Registered Organisations) Regulations 2009* (the RO Regulations).

A copy of each of the following records must be lodged with the Fair Work Commission (the Commission) between 1 January and 31 March each year. They must be certified by a declaration stating that it is a correct statement of the information contained in that record, signed by the Secretary or such other elected official who is required under the rules, or by resolution of the organisation, to keep the relevant records (**other prescribed officer** see r.150 of the RO Regulations).

Failure to comply with these obligations is subject to a civil penalty provision – see s.305 of the RO Act.

Requirement	Details of requirement
Maintenance of Register of Members	A declaration by the Secretary or other prescribed officer certifying that the register of members has, during the immediately preceding calendar year, been kept and maintained as required by ss.230(1)(a) and (2) [s.233(1)(a)] Note: In maintaining the register of members, your attention is drawn to s.171A of the RO Act that outlines the circumstances where membership ceases to exist.
List of Offices	A list of the offices in the organisation and each branch (note the definition of office and officer in ss.6 and 9) [s.230(1)(b)]
List of Office holders	A list of the names, postal addresses and occupations of the persons holding the offices (note the definition of office and officer in ss.6 and 9) [s.230(1)(c)]
List of Branches	A record of the name of each branch of the organisation [s.230(1)(d) and r.147(a)]
New Branches	A record of the name of each branch that commenced operation in the previous 12 months [s.230(1)(d) and r.147(b)]
Old Branches	A record of the name of each branch that ceased operation in the previous 12 months [s.230(1)(d) and r.147(c)]
Addresses of Organisation and Branches	A record of the address of the office of the organisation and the address of the office of each branch [s.230(1)(d) and r.147(d)]
Elections in Organisation and Branches	A record of each election that must, under the rules of the organisation, be held during the year commencing 1 January of the year in which the return is lodged, for any offices in the organisation and branches of the organisation . [s.230(1)(d) and r.147(e)] Note: this provision does not relieve an organisation or branch from the separate requirement to lodge prescribed information prior to each election, as required by s.189 of the RO Act
Statement concerning number of members	A record of the number of members on 31 December in the previous year; and If the organisation has entered into an agreement relating to members of State unions under s.151(1) of the RO Act,- a record of the number of members of the organisation who were (on 31 December in the previous year) ineligible State members in relation to the organisation within the meaning of s.150 of the RO Act. [s.230(1)(d) and rr.147(f) and (g)]

Obligation to notify of changes within 35 days

If there are any changes during the year to the offices, officeholders, branches (where relevant) or the address of the organisation and/or its branches an organisation must, within 35 days of the change, lodge with the Commission, a notification of such changes certified by declaration signed by the secretary or other prescribed officer of the organisation to be a correct statement of the changes made [RO Act s.233(2) and RO Regulations r.151 refer].