

The men who stole the Hills

Chapter Two: The Hills Shire



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Our Stars



Name: The Hon. Dominic Perrott MP

Current Positions:
Premier of NSW

Former Positions:
Treasurer of NSW



Name: Charles Perrottet

Current Positions:
Missing In Action

Former Positions:
Deputy Chair of the Local Government Oversight
Committee (Liberal Party)
Member of the State Redistribution Advisory
Committee (Liberal Party)



Name: The Hon. Peter Poulos MLC

Current Positions:
Member of the Legislative Council
Parliamentary Secretary for Wollongong and the
Illawarra

Former Positions:
Chair of the Local Government Oversight Committee
(Liberal Party)
Employee of Minister Matt Kean
Deputy Chair, Committee on the Ombudsman, the Law
Enforcement Conduct Commission and the Crime
Commission (NSW Parliament)



Name: The Hon. Matt Kean MP

Current Positions:
Treasurer of NSW
Member for Hornsby

Former Positions:

The men who stole the Hills

Chapter Two: The Hills Shire



Name: The Hon. Matthew Mason-Cox MLC

Current Positions:

President of the Legislative Council

Former Positions:



Name: Christian Ellis

Current Positions:

Member of Constitution Standing Committee (Liberal Party)

Former Positions:

Member of State Executive (Liberal Party)

Member of Party Affairs Committee (Liberal Party)



Name: The Hon. Chris Rath MLC

Current Positions:

Member of the Legislative Council

Temporary Chair of Committees

Former Positions:

Vice-President of the NSW Liberal Party



Name: The Hon. Mark Coure MP

Current Positions:

Member of the Legislative Council

Temporary Chair of Committees

Premier's Representative on State Executive (Liberal Party)

Former Positions:



Name: Peter Gangemi

Current Positions:

Mayor of Hills Shire Council

Former Positions:

Councillor on Hills Shire Council

The men who stole the Hills

Chapter Two: The Hills Shire



Name: Ray Williams MP

Current Positions:

Member for Castle Hill
Member of the Committee on the Independent
Commission Against Corruption
Chair of the Legislative Assembly Committee on Law
and Safety

Former Positions:



Name: The Hon. David Elliott MP

Current Positions:

Minister for Transport
Minister for Western Sydney
Member for Baulkham Hills

Former Positions:

Minister for Police and Emergency Services



Name: The Hon. Aileen MacDonald MLC

Current Positions:

Member of the Legislative Council

Former Positions:

Vice-President of the NSW Liberal Party

The men who stole the Hills

Chapter Two: The Hills Shire

Our Story



A multi-year plan was orchestrated by a core group of conspirators to change the Constitution, occupy decision-making positions and deliberately manipulate processes to install Councillors onto the Hills Shire Council that are loyal to this core group- and when they could not do it semi-legitimately, they did it illegitimately.

The Liberal party has three factions:

The Moderates: Traditionally progressive faction with members such as Matt Kean MP, Chris Rath MLC and Peter Poulos MLC.

The Centre Right: Traditionally centrist faction with members such as Alex Hawke MP, David Elliott MP, Ray Williams MP and former Hills Shire Council Mayor Michelle Byrne

The Right: Traditionally conservative faction with members such as Dominic Perrottet MP, Damien Tudehope MLC and Anthony Roberts MP.

In the Hills Shire Council area there are no branches aligned with the Moderate faction. The majority of branches are and have been aligned to the Centre Right faction, which has seen the majority of Councillors on the Hills Shire council being aligned to the Centre Right.

The Right faction has been predominantly governed by Catholics associated with the Opus Dei sect. As shown in Chapter One, the NSW Reformers were a recruitment/stacking vehicle by and for the Right faction, with their predominant operations focused in the Hills Shire LGA.

At the 2021 Local Government Elections, almost all of the incumbent Hills Shire Councillor were replaced with new Councillors that were aligned to the Right. This was done through manipulation and abuse of the selection process using two bodies, the State Executive and the Local Government Oversight Committee with the help of the Moderate faction.

The main core of this conspiracy were the following individuals.



The men who stole the Hills

Chapter Two: The Hills Shire

Over the last several years the Moderate faction led by Matt Kean MP and the Right faction led by Dominic Perrottet have been in coalition in a deal known as ‘unity’. This deal saw a number of quid pro quo agreements made with senior faction leadership, including the Dominic and Matt, where they would support one another to ensure that certain areas were delivered to the faction that wanted it.

One such area was the Hills Shire which was to be given to the Right faction, as the Moderate faction had no branches in the entire area.

To ensure control of the Hills Shire Council by the Reformers and the Right, the Constitution was changed, branches were moved into conferences, a branch was suspended, dates were set and missed, processes were delayed and ultimately candidates were parachuted without a preselection.

At a glance: Unity deal between the Moderates & the Right to suppress the Centre Right



The men who stole the Hills

Chapter Two: The Hills Shire

Background concepts within the Liberal Party

To understand fully what transpired to install select people as candidates in winnable spots on the Hills Shire Council, a few concepts within the NSW Liberal Party have to be explained.

State Council

The peak decision body of the NSW Liberal Party consisting of over 800 members including MPs, Senators, MLC, State Executive, limited representatives from each Branch and Conference, and life members.

This is the equivalent of the NSW Labor State Conference or the NSW Greens State Delegates Council.

State Executive

The governing body of the NSW Liberals constituting of up to 28 voting members most elected by the State Council that have vast powers to make decisions from day-to-day and meet monthly, or in between as required. Powers of the State Executive include the ability to suspend members, suspend or dissolve branches, endorse or dis-endorse candidates, determine which seats will be contests, and enter into coalition arrangements with other parties.

This is the equivalent of NSW Labor Administration Committee and NSW Greens Committee of Management.

Local Government Oversight Committee / LGO

This is a standing committee of the NSW Liberal Party elected by the State Council at the Party AGM whose purpose is to oversee Local Government and related matters within the party and make recommendations to the State Executive. The Local Government Oversight Committee, often abbreviated to LGO (l gok/), has other proscribed duties and powers and may also conduct activities requested of them by the State Executive.

Out of time provisions / Urgency clause / 21.6.4

This is clause 21.6.4 of the Constitution of the NSW Liberal Party which permits the State Executive with a simple majority to suspend and/or replace any or all of the standard preselection process for any other made-up process, or the direct installation of Liberal candidates for that position. Despite its name having out of time or urgency in it, the wording of the clause permits the State Executive to determine, once again with simple majority, whether they are out of time or not.

Local Government Conference / LGC

A Conference is a body made up of a collection of branches that are allocated to a specific electorate (Federal, State, Local). A Local Government Conference is the body made up of branches allocated to a Local Government Area by the State Executive. LGC's have their own executive and are elected by the executive of the Branches in the conference.

The men who stole the Hills

Chapter Two: The Hills Shire

Unlike Federal and State, it is NOT mandatory to have an LGC in your Local Government Area, as an LGC can be dissolved or may not have been formed (formation is not automatic).

Electronic Ballot

An Electronic Ballot is a type of ballot that can only be issued by the Party President to the State Executive via email to vote on any type of motion that could be otherwise voted on at a meeting of State Executive. Unlike a regular motion moved during a meeting, an Electronic Ballot has a response time where a response must be received by. After the time to vote in the Electronic Ballot has elapsed, the returning office typically emails the result of the ballot which shows the total number of votes for, against and abstentions. The full results of an Electronic Ballot, which shows how each person voted, are not available until the agenda and papers are issued for the next meeting of State Executive.

There are no rules regarding Electronic Ballots. They can be used in any circumstance for any matter. The main difference between Electronic Ballots and motions at meetings is that Electronic Ballot motions do not need to be seconded, cannot be amended, cannot be deferred and there is no discussion on the matter. This is their primary benefit- it allows the Party President to push through a motion that would otherwise have been amended, deferred or had questions raised about the subject matter.

Taking control of the State Executive

There are two important pass marks for motions considered by the State Executive, 50% and 60%. Different powers of the State Executive require different thresholds, some of these are:

50% - Set preselection dates, delay preselection's, parachute candidates for Local Government when there is no time left for a selection, commence suspension proceedings

60% - Suspend or dissolve a branch, suspend or expel a member, move branches in and out of LGCs

At the election of the 2019 NSW Liberal Party AGM, the unity deal ensured that the Right and the Moderate factions had 1 vote less than 60%. The subsequent appointment of **Michael Hughes**, a member of the Right faction, to the State Executive by the State Executive at the nomination of **Philip Ruddock** saw the unity faction now control 60% of the State Executive.



Chris Rath was appointed as the person responsible for ensuring the attendance of members and delivery of votes for State Executive members in the Moderate faction.

The men who stole the Hills

Chapter Two: The Hills Shire

Christian Ellis was appointed as the person responsible for ensuring the attendance of members and delivery of votes for State Executive members in the Right faction.

Mark Coure was the Premiers representative on State Executive and responsible for using his authority and gravity to ensure desired outcomes were achieved.

Charles Perrottet was the person responsible for getting his brother, **Dominic Perrottet**, to express support or disapproval for things as was needed to ensure the outcomes were achieved, and if necessary to talk to people or to pressure them.

Peter Poulos was the person responsible for getting his boss, **Matt Kean**, to express support or disapproval for things as was needed to ensure the outcomes were achieved, and if necessary to talk to people or to pressure them.

Matt Kean was the person responsible for ensuring that then Party President (and Mayor of Hornby Shire) **Philip Ruddock** only put out favourable Electronic Ballots and prevented or allowed Motions as needed to ensure the outcome of the Hills Shire council being delivered to the Right.

Taking control of the Local Government Oversight Committee

Similar to the State Executive result, the 2019 AGM saw unity having 5 of the 7 members elected to the Local Government Oversight Committee. At the first meeting of the LGOC, three office bearers were elected.

Member	Faction	Notes
Peter Poulos	Moderate	Employee of Matt Kean at the time
Jeff Egan	Centre Right	
Charles Perrottet	Right	Brother of Dominic Perrottet
Harold Stutchbury	Moderate	2IC and best friend of Chris Rath
Karen Howard	Centre Right	
Dallas McInerney	Right	CEO of Catholic Schools NSW
Aaron Henry	Moderate	Friend of Chris Rath

With 5 of the 7 members of the LGOC and all 3 office bearer positions, unity could ensure that LGOC only decided in a way that allowed the Moderate and Right factions to secure their outcomes. **Peter Poulos** and **Charles Perrottet** made sure to use this to ensure the Hills Shire Council had specific candidates.



Chair	Deputy Chair	Secretary
Peter Poulos	Charles Perrottet	Dallas McInerney

The men who stole the Hills

Chapter Two: The Hills Shire

The unofficial process for controlling Local Government outcomes

Having achieved the requisite control of the State Executive and LGOC, a process was devised amongst the unity State Executive on how they would control the Local Government outcomes they wanted.

Against the advice of the Liberal Party State Director and against convention, the LGOC decided to determine which areas would run Liberals and the order of preselection's by groups which were called 'Series'. A handful of LGAs would be recommended by the LGOC to the State Executive to approve at a time.

LGAs of Councillors or aspiring Councillors were deliberately left until after desired outcomes of the LGOC were achieved, thus allowing the LGOC Chair **Peter Poulos** and Deputy Chair **Charles Perrottet** to coerce and hold over those outcomes over those State Executive members.

An unprecedented 7 series were put forward by the LGOC. In contrast, Federal and State preselection's are typically done in 3 to 4 groups.

Whilst the State Executive could have at any time resolved differently, **Chris Rath** and **Christian Ellis** on State Executive would ensure that the Moderate and Right wing State Executive members would not go out of line. This led to growing frustration by numerous members of the State Executive who could see that the processes was being subverted, but factional and political, at times threatening or coercive, pressure was applied to members to keep them in line.

The men who stole the Hills

Chapter Two: The Hills Shire

Step-by-step guide: How to steal a Local Government Area
Unashamedly brought to you by the Poulos-Perrottet LGOC

Step 1:

Make sure electronic ballots are used as much as possible to ensure there can be no deferral or amendment of the motions put forward. Even if something can be resolved then and there at the State Executive meeting on Friday night, resolve to do it by electronic ballot the next Monday.



Step 2:

Does State Executive want the proposed motion to pass State Executive?

Yes: Vote it through.

No: Move a procedural motion to defer it or refer it to the LGOC, or don't let the President issue an Electronic Ballot on the issue.



Step 3:

At the LGOC, change the contents of the motion to what you want no matter how wildly different from the originally referred motion. Just ignore things you don't want discussed.



Step 4:

Repeat steps 2 and 3 until either any or all of the following:

-Other things needed, such as suspending branches occur

-You get the outcomes you want

-There is no more time left to have a preselection



Step 5:

Now that there is no time to have a preselection because time was wasted and the process was deliberately frustrated, clause **21.6.4** can be used to parachute your own candidates into the positions and bypassing a preselection entirely.



Congratulations! After months and months of deliberately fruitless work, you have now successfully stolen the Local Government Area by installing your Councillors who will do whatever you want.

The men who stole the Hills

Chapter Two: The Hills Shire

In a matter that was heard by the Supreme Court of NSW (Case No.: 2021/00194083) relating to the installation of candidates to contest the Local Government elections as Liberal Party candidates, an affidavit was supplied to the court that outlines how this parachuting process was openly and blatantly promoted by **Charles Perrottet**.

In the affidavit, a conversation is recounted by between the then incumbent Councillor and **Charles Perrottet** in which **Charles Perrottet** states that that the Councillors will be endorsed using the urgency clause if he is not aligned with **Charles Perrottet**.

Evidence: An affidavit in the Supreme Court of NSW outlining a conversation which shows this process being used by Charles Perrottet.

Council. I said words to the effect in reply 'This whole issue has been frustrating, and I will only agree to giving one position subject to the Wentworthville YLs complaint being withdrawn officially and nominations being opened in Cumberland with a guarantee of my team remaining. He said words to the effect that 'I'm sure we can do this, and I'll have Charles Perrottet our contact you.'

32

On Saturday 3 July 2021 at about 4pm I was telephoned by the named Far Right faction influential member Mr Charles Perrottet also the Deputy Chair of the LGOC and a close factional colleague of Mr M Camenzuli who said to me words to the effect:

'The moderates do not want you on council and the intention is not to have endorsed Liberals on Cumberland City Council. I will try very hard to convince the moderates to first open nominations for Cumberland and then try and convince them to endorse you for the Council. There is no way we will endorse anyone who is aligned to the Centre Right which includes one of your colleagues on Cumberland. The next meeting of the LGOC will be 12 July 2021 and I will then tell the team you are one of us and we should have you with us. You will then be endorsed with others using the urgency powers and the LGOC. I said in reply in words to the following effect: 'If you are serious about this, I will allow one position to the Far Right so long as the preselection process is guaranteed in writing with my whole team, and you withdraw the Wentworthville YLs complaint.' I have since received no response.

Rigging, and when that didn't work, stealing

In order for the Right to have won a preselection they needed three things to occur prior to a selection occurring:

1. Moving favourable Right wing branches into the Hills LGC
2. Suspending or dissolving the Centre Right controlled Baulkham Hills Branch
3. Having State Executive pick a date for the selection that would allow the greatest number of Right wingers and fewest Centre Righters to vote in the selection (based on the 2-year membership rule).

The men who stole the Hills

Chapter Two: The Hills Shire

Each task was a monumental endeavour in and of itself, the completion of all three would require months and months of effort and a workload that would require almost a full-time job.

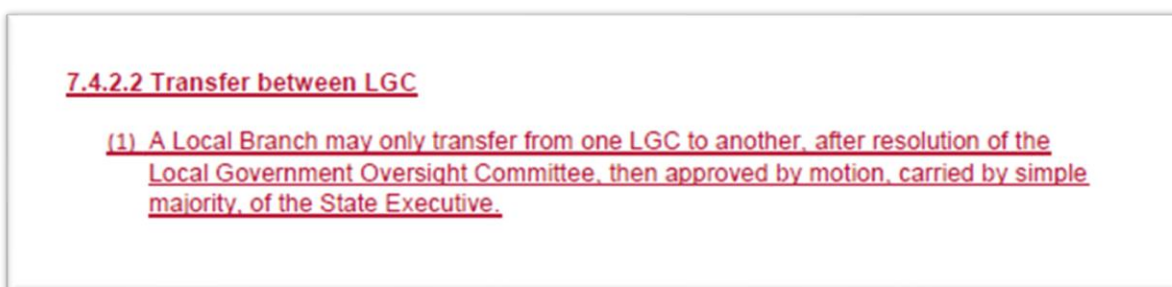
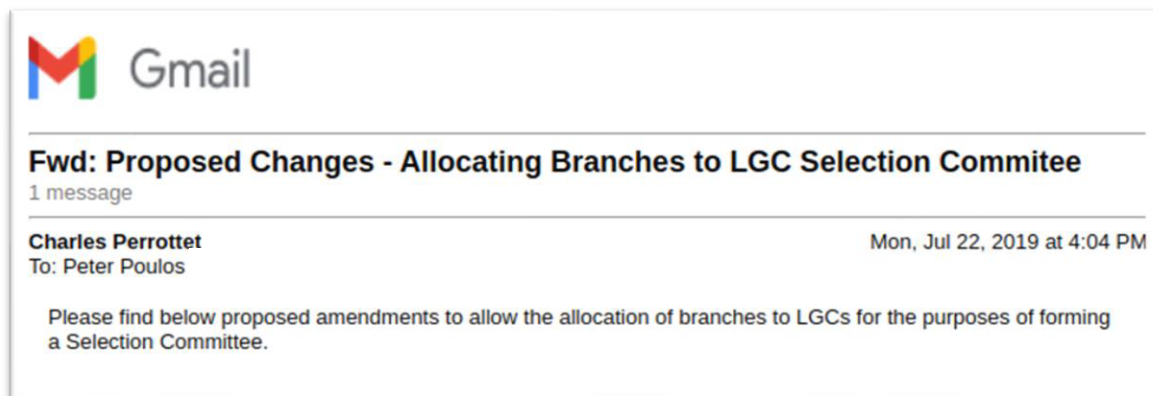
If a cost benefit analysis were conducted that weighed up the effort and time used to achieve these outcomes, it would show that only a demonstrably significant benefit could make all this worthwhile.

It was only upon the completion of these tasks that the LGOC would give the go ahead for Liberal Party to consider nominations for the Hills Shire council.

Moving Branches

The plan to move the favourable Branches into the Hills Shire LGC began years before the election took place. The initial problem faced was that **there was no mechanism in the Constitution for the State Executive to move individual branches outside of a redistribution.**

An email sent from the personal Gmail account of **Charles Perrottet** to the private Gmail account of **Peter Poulos** on 22 July 2019 (prior to either being elected to the LGOC) shows the wording for two proposed changes to the Constitution to permit the moving of Branches to different LGCs. An attachment included in the email shows that there was a drafted Clause that would permit a branch to move ONLY if approved by the LGOC which they would subsequently ensure their election to the AGM later in the year.



The Moderates involved in these discussions were **Matt Kean**, Trent Zimmerman and **Chris Rath**. The Moderates were amenable to these the changes to allow these powers to be created for the LGOC and the State Executive but requested two changes:

1. State Executive requires 60% to move a Branch into an LGC; and
2. The ability for the State Executive to move a Branch into an LGC expires at the end of 2020.

The men who stole the Hills

Chapter Two: The Hills Shire

An additional change put forward by **Charles Perrottet** shows his intention to change the Constitution to remove the mandatory requirement to hold preselection's where nominations were received. When viewed in conjunction with his other proposed changes the reasons for this become clear.

Another change was to allow the State Executive to bypass preselection's for Federal, State and Local office if there was no 'functional' (an undefined term with very broad discretionary scope) conference **OR** if the State Executive never formed a preselection committee (which his previous change would permit them not to).

An email from sent from the personal email address of **Chris Rath** to **Charles Perrottet** and **Dallas McInerney** on 22 July 2019 shows **Chris Rath** giving the Moderates tick of approval for all of these changes.

Re: Proposed changes - Non Functioning LGCs

2 messages

Chris Rath

To: Charles Perrottet

Dallas J McInerney

Mon, Jul 22, 2019 at 6:56 PM

Looks good.

I don't have an editable version of the constitution on me.

Can you amend to include:

If in any Federal electorate, State electorate, or Local Government Area, **before 31 December 2020:**

(2) State Executive may endorse a member of the Organisation as the Division's Candidate **by motion passed by a majority of not less than**

60% of the members of State Executive present and voting, but State Executive must:

From: Charles Perrottet

Sent: 22 July 2019 11:15

To: chris rath

Dallas J McInerney

Subject: Proposed changes - Non Functioning LGCs

Hi Chris,

Proposing that the below will resolve issues for Non-Functioning LGCs...can you please confirm with your people that this is suitable and include the sunset clause Trent proposed?

Proposed changes (Red = Remove, Blue = Add)

26.1.1 Formation

If more than one person nominates for endorsement as the Liberal candidate for election to an office in local government, a Selection Committee **must** may be formed to select the Liberal candidate.

21.6.1 Local Bodies not functioning

If in any Federal electorate, **or** State electorate, or Local Government Area:

- (1) there is no functioning FEC, FEB, SEC **or**, SEB, or LGC (as the case may be); or
- (2) **all the Branches that are allocated to the FEC or SEC fail, or the FEB or SEB fails, to elect members of a Selection Committee within a reasonable time after request by State Executive,**
- (2) **no Selection Committee has been formed**

State Executive may endorse a member of the Organisation as the Division's candidate, but State Executive must:

- (3) confer with the Committee or the members of the FEC, SEC, or LGC (if any), or the Committee of the FEB or SEB (if any); and

The men who stole the Hills

Chapter Two: The Hills Shire

In the second half of 2020, Charles Perrottet began informally lobbying members of State Executive to move branches that were not aligned with the Right out of the Hills Shire LGC and move branches that were aligned with the right into the Hills Shire LGC.

The branches that were going to be moved against their will protested to Party President Philip Ruddock. Subsequently, a view formed amongst Party HQ and the Party President that despite the Constitution not stating so, a branch could not be moved in or out of an LGC against its wishes. In an attempt to nullify this view, a teleconference call was conducted in which **Charles Perrottet and Matt Kean** were going to convince Philip Ruddock to abandon this view.

They were unsuccessful in doing so. It is important to note that no such criteria were imposed for the outgoing or incoming LGCs to also agree.

This was an unexpected setback for **Charles Perrottet** and **Peter Poulos**. Despite this they persisted with their intention to move branches that the Right controlled into the Hills Shire LGC. In the months of September 2020 and October 2020 three branches controlled by the Right moved motions expressing their desire to transfer into the Hills Shire LGC, these being Glenorie Branch, West Pennant Hills Branch and Cherrybrook Branch.

Despite the suburb of Cherrybrook being in the Hornsby Shire LGA, to justify a connection to the Hills Shire LGC, the branch moved a motion to officially rename itself to 'Round Corner', a geographic feature that was within the Hills Shire LGC.

The Hills Shire LGC officially objected to this move and passed resolutions as such.



1. Glenorie Branch
2. West Pennant Hills Branch
3. Round Corner Branch
(formerly Cherrybrook Branch)



On 20 November 2020 **Philip Ruddock** issued an Electronic Ballot to transfer those 3 branches to the Hills Shire LGC. The ballot subsequently passed and after more than 16 months of work, the branches were moved.

The men who stole the Hills

Chapter Two: The Hills Shire

Suspension of Baulkham Hills Branch

The Baulkham Hills Branch is in the Hills Shire LGC and has been aligned to the Centre Right. There was an attempt made to take the Branch over by the Right, but this was subsequently challenged and competing paperwork was submitted.

The Right needed to suspend this branch in order to prevent the centre right members in the branch from being able to vote. The basis of the suspension would be the contradicting minutes and paperwork submitted to Liberal HQ as regards to which members were accepted into the branch and could participate in the pre-selection.

A large number, if not all of these members were the friends and family of a local property developer.

It is important to note that the federal member, **Alex Hawke MP**, the state member, **David Elliott MP** and the local Mayor at the time, **Michelle Byrne** were all members of the branch.

A complaint was lodged to Liberal HQ by a branch member in regards to the contradicting minutes. This complaint was supposed to be the basis of the suspension for the branch. Unfortunately for the Right, the complainant withdrew his complaint as he felt that there were sinister ulterior motives for the basis of the complaint. Without a complaint there was no basis to suspend the branch, which would cause the Right to lose a preselection if it were permitted to vote.

Not deterred by this major setback, the Right faction. in what is a shocking move that could never stand up to scrutiny, lodged the complaint again but this time signed by two different members of the party: one was a lady who joined the party after the events took place and the other was a man who was on the State Executive that had not attended the meeting or was not even a member of the branch.

Liberal HQ received advice from junior barrister, Sam Duggan, that it would not be appropriate for the complainant to participate in the vote to suspend the branch. Had the complainant not been permitted to vote, then the vote to suspend the branch would not have passed.

Christian Ellis obtained and then provided to the State Executive, at either cost to him or paid for by someone else, advice from senior council Jeffrey Phillips SC which put forward the view that the complainant could indeed vote. As such, the complainant participated in the vote and was counted. The suspension passed by 1 vote.

A Vice-President of the Party requested a formal ruling from the party State Director on whether this was adherent to the Constitutional. Significant pressure was placed on the State Director to rule in favour of that 1 conflicted person.

The State Director officially declined to make a ruling and the branch was suspended, thereby making all members in the branch ineligible to participate in the preselection for the Hills Shire council.

Avoiding a preselection

Despite all the work having been done to try to rig the preselection in favour of the right, such as the inclusion of 3 right wing branches into the Hills Shire LGC and the suspension of 1

The men who stole the Hills

Chapter Two: The Hills Shire

Centre Right branch, the Right found themselves still not having the majority to win a preselection.

The LGOC and Right's strategy now became one to run the clock and waste time to avoid having a preselection. Unfortunately for them, on 25 July 2021 the then Minister for Local Government postponed the Local Government elections for a further 3 months. This postponement meant there was now sufficient time to have a preselection despite the time wasting by the LGOC and the Right.

Nonetheless, the LGOC persisted on its course to install candidates into the Hills Shire Council without a preselection.

In anticipation of a State Executive meeting being held on 27 August 2021, the LGOC met on 23 August 2021 and put to State Executive a recommendation to contest the Hills Shire Council in accordance with clause 21.6.4 of the constitution- the urgency clause that would permit the parachuting of councillor candidates.

This report was prepared by **Peter Poulos** and only sent to the State Director on 25 August 2021. The report from Party President **Philip Ruddock** noted that this late sending not allowing time for the consideration of the report. The dates for State Executive meetings are published 12 months in advance and the LGOC had the schedule. This meant that the LGOC report was not considered by the State Executive at their August 2021 meeting.

At the next State Executive meeting on 24 September 2021 the State Director recommended to have a preselection committee for the Hills Shire to be held between 4 October 2021 and 18 October 2021. The Reformers and the Right not wanting to have a preselection ignored the recommendation of the State Director and instead, once again, asked the LGOC to provide their recommendations.

However, the State Executive was already aware that the report from the LGOC on 25 August 2021 signed and prepared by **Peter Poulos** outright stated that the LGOC recommend use to clause **21.6.4**. The deferral to LGOC was just another way to run the clock to ensure there was no pre-selection in the Hills Shire LGA.

Finally, on 27 September 2021, the LGOC met and produced a list of people who were to be installed as candidates using urgency clause for the Hills Shire Council. There was no expression of interest, no nomination process, no public advertisement of this processes in any way. It was never explained how the LGOC came up with this name or why these candidates should be installed. Almost all the candidates were not incumbents and a large number of them were friends and family of the Reformers. This report was signed off by **Charles Perrottet**.

In the same report, a list of names to install via urgency was produced for the **Bayside** Local Government Area. This is the area that **Peter Poulos** was secretary of and that his wife was a Councillor for. These names were once again achieved through a secret process.

Bizarrely, there was a list of names for candidates to install via urgency for the **Wagga Wagga** LGA which had been provided by **Matthew Mason-Cox**, once again, in a secret non advertised process. The most bizarre thing about the Wagga Wagga recommendations was that this was the first time over 18 months that there was the consideration of running Liberal Councillors in Wagga Wagga.

The men who stole the Hills

Chapter Two: The Hills Shire

Lastly there was a recommendation for the installation of candidates for the **Burwood** LGA, which saw the installation of a candidate who is aligned with and supported by **Chris Rath** to the #1 spot.

In an email sent by **Charles Perrottet** to the State Director and Party President, he shares the nomination forms of all the candidates with them via Dropbox. The Nomination form is a document that is over 30 pages when completed in its entirety, with copies of documents and a CV included. To have arranged the nomination forms of over 30 candidates would have taken weeks.

Due to reasons best described by him, **David Elliott** was successful in reaching an agreement with **Charles Perrottet** whereby two incumbent Hills Shire Councillors would be reinstated as Liberal Party candidates. But largely the **Poulos-Perrottet LGOC** ticket remained unchanged.

An Electronic Ballot was issued to State Executive on 15 October 2021 to install the candidates for **Hills Shire** Council. **Chris Rath, Aileen MacDonald** and **Mark Coure** all voted in favour of the parachuting of these candidates, despite concerns raised by others. The ballot was successful.

A number of incumbent Hills Shire Councillors, including the mayor, who were not returned applied for permission to run as an independent. The Right and the LGOC lobbied State Executive to block these candidates, as they did not want to reduce the chances of their now Liberal endorsed candidates being elected. Once again, **Chris Rath, Aileen MacDonald** and **Mark Coure** all voted against letting the incumbent Councillors run as independents.

Timeline for Selection of Liberal Candidates for the Hills Shire Council

2019 July 22

Charles Perrottet emails **Peter Poulos** his ideas to make changes to the Liberal party Constitution that would allow the moving of branches to different LGCs and the prevention of preselection's.

2019 July 22

Chris Rath on behalf of the Moderate faction gives the tick of approval to **Charles Perrottet's** proposals with some slight changes.

2019 July 23

Dallas McInerney submits a list proposed of Constitutional changes to the Party Affairs Committee of State Executive which include the changes designed by **Charles Perrottet**.

2019 November 9

The Liberal Party 2019 AGM occurs and the proposed constitutional reforms are adopted, including **Charles Perrottet's** ideas.

2019 November 28

The men who stole the Hills

Chapter Two: The Hills Shire

The results of the 2019 AGM are finalised. **Chris Rath** and **Christian Ellis** is elected to State Executive, and **Peter Poulos**, **Charles Perrottet** and **Dallas McInerney** are elected to LGOC.

2020 March 25

The Minister for Local Government postpones the 2020 Local Government Elections for 12 months.

2020 May 1

State Executive officially abandons the started Local Government process and the whole-of-state report.

2020 November 12

The LGOC meets and approves the transfer of 3 right wing branches into the **Hills Shire LGC** despite objection from the Hills Shire LGC.

2021 March 26

An Electronic Ballot is issued to commence proceedings to suspend the **Baulkham Hills Branch**. The ballot passes.

2021 April 23

State Executive meets and considers the suspension of the **Baulkham Hills Branch**

2020 March 14

LGOC meets and puts forward a whole-of-state package to contest and seek nominations for LGAs including **the Hills Shire**.

2020 March 27

State Executive resolves to table the whole-of-state LGOC package and seek advice on what to do with the Local Government selection process in light of the postponement.

2020 September – October

3 of Right wing branches ask to be transferred into the **Hills Shire LGC**.

2020 November 20

An Electronic Ballot is sent to State Executive to approve the transfer of those 3 Right wing branches into the **Hills Shire LGC**. The ballot passes.

2021 April 16

The LGOC meets to propose series 5 for LGAs to contest, which includes the **Hills Shire**. This report has dates for when the preselection must occur and notes that selections must take place prior to 30 June 2021.

The men who stole the Hills

Chapter Two: The Hills Shire

and the LGOC report. Issues are raised as to legality with the suspension and the issue is differed pending legal advice. The LGOC report is also delayed until Baulkham Hills Branch is suspended.

2021 June 1

Chris Ellis obtains his own legal advice that the complainant can vote and provides it to the state executive. The complainant votes on the ballot. The ballot passes.

2021 June 4

The State Director officially notifies the State Executive that he refuses to make a ruling as to the complaint. The branch is deemed suspended.

2021 July 25

The Minister for Local Government postpones Local Government elections for 3 months.

2021 August 27

The State Executive meets. **Philip Ruddock** states that there has not been time to consider the LGOC report and it will be considered at the next meeting.

2021 May 31

An Electronic Ballot is issued to suspend **Baulkham Hills Branch**. Legal advice was obtained and attached to the ballot that the complainant, who is on State Executive, could not vote.

2021 June 1

A Vice President lodges a complaint and requests a ruling on whether the complainant was permitted to vote, given that the suspensions only passed with his vote.

2021 June 28

A Member of the State Executive commences legal proceedings on the question as to whether State Executive could use urgency clause 21.6.4 in certain circumstances.

2021 August 25

The **LGOC** meets recommends to use urgency clause to parachute candidates into the **Hills Shire**.

2021 September 24

The State Executive meets. The State Director proposes dates to have a preselection in the Hills Shire. The State

The men who stole the Hills

Chapter Two: The Hills Shire

2021 September 27

The LGOC meets and composes a list of candidates who are to be installed into the Hills Shire Council by urgency. This process was a secret process that was not advertised.

2021 October 29

An Electronic Ballot is issued where a number of incumbent Hills Shire Councillors have asked for permission to run as independents. The ballot fails.

2021 December 4

The Local Government Elections take place.

Executive declines this and asks the LGOC for its report again.

2021 October 15

An Electronic Ballot is issued to install candidates into the Hills Shire Council via urgency. The list is largely that of the LGOC with only 2 names changed. The ballot passes.

2021 November 1

Another Electronic Ballot is issued where more incumbent Hills Shire Councillors have asked for permission to run as independents. The ballot fails.

Conflicts of interest by Members of the Legislative Council

Several Liberal Members of the Legislative Council have a conflict of interest in regards to matters relating to the installation of Liberal Councillors in the Hills Shire Council.

Of the 11 current Liberal MLC's, 7 have a conflict of interest with 3 of those having a significant conflict. It is concerning that 2 of the 3 MLCs who have a significant conflict of interest have been placed onto this inquiry.



Chris RATH
SIGNIFICANT CONFLICT



Aileen MacDONALD
SIGNIFICANT CONFLICT

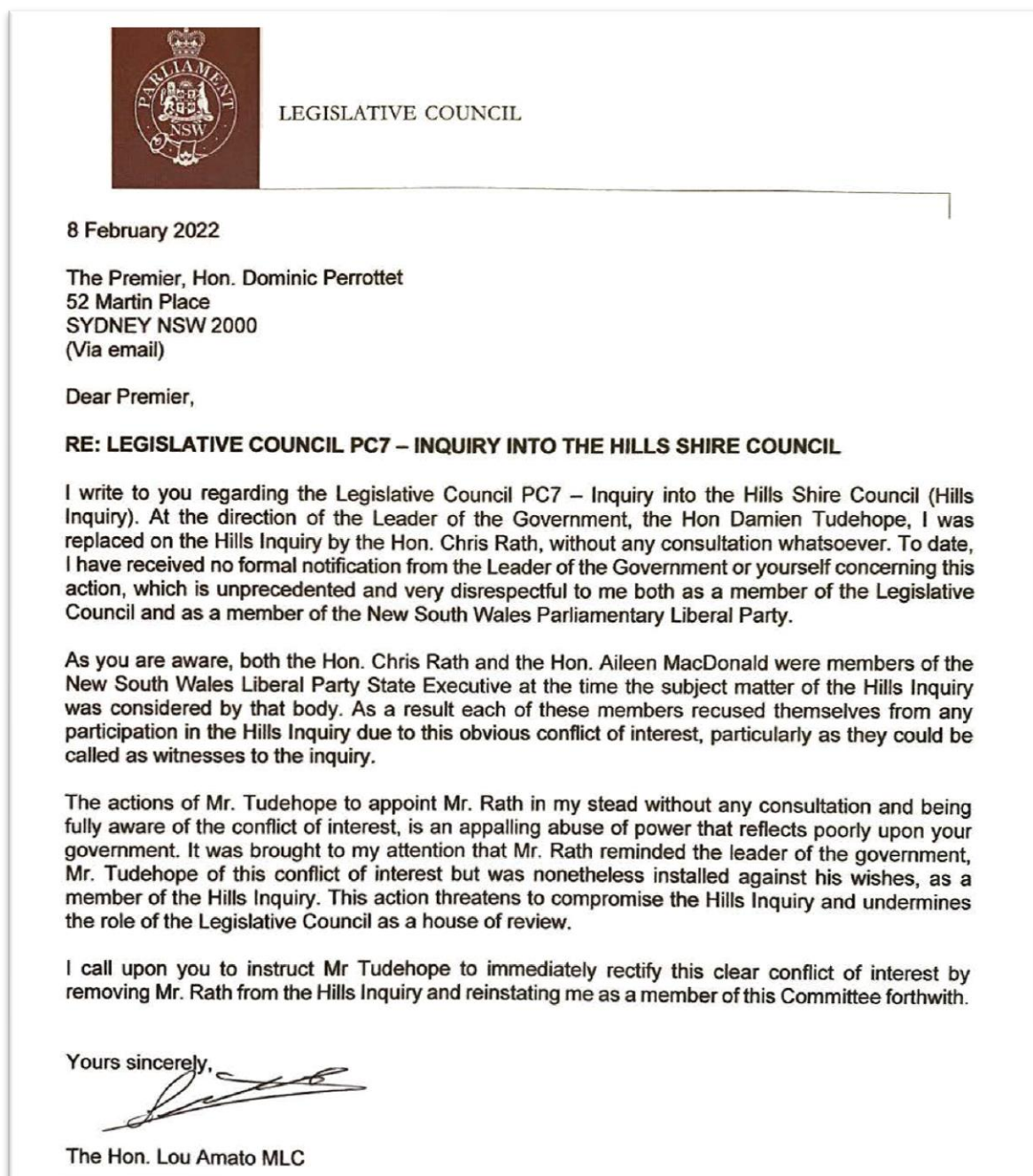
The men who stole the Hills

Chapter Two: The Hills Shire

Lou Amato was previously on this inquiry substituting for **Shayne Mallard**. It is important to note that both did not have a conflict of interest in regards to his matter. It is interesting to note that both will not be returning to the Legislative Council after the Liberal Party's State Executive voted to parachute alternative candidates to replace them keeping Chris Rath and Peter Poulos, both of whom have a significant conflict.

This replacement was supported and endorsed by Damien Tudehope and Dominic Perrottet, both of whom are senior leaders of the NSW Reformers. This issue was covered widely by the mainstream media.

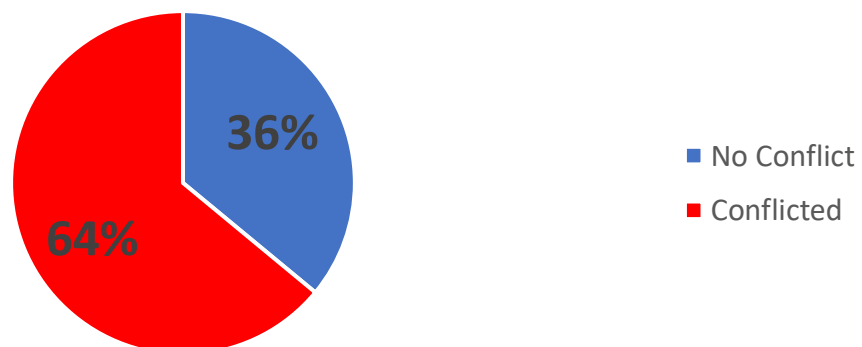
Lou Amato sent a formal letter to the Premier **Dominic Perrottet** where he noted that he was replaced by **Chris Rath**, who has a significant conflict, at the direction **Damien Tudehope**, who has a conflict.



The men who stole the Hills
Chapter Two: The Hills Shire

Member	Conflict of Interest	Conflict
Lou AMATO	<i>No</i>	
Scott FARLOW	Yes	Scott's wife, _____, was a member of the State Executive of the NSW Liberal Party and voted in matters related to the Hills.
Aileen MacDONALD	Significant	Aileen was a member of State Executive of the NSW Liberal Party and voted in favourable on matters related to the Hills.
Natasha MACLAREN-JONES	Yes	Natasha's husband, _____, was a member of the State Executive of the NSW Liberal Party and voted in matters related to the Hills.
Shayne MALLARD	<i>No</i>	
Taylor MARTIN	<i>No</i>	
Matthew MASON-COX	Yes	Matthew provided a letter with names of people that he wanted installed in the Wagga Wagga Council during the same secret process that determined most of the candidates that were installed in the Hills, which he was somehow aware of.
Peter POULOS	Significant	Peter was the chair of the Liberal Party's Local Government Oversight Committee, the body that created and implemented the secret process that determined most of the candidates that were installed in the Hills. He chaired the meeting that determined those candidates.
Chris RATH	Significant	Chris was a member of State Executive of the NSW Liberal Party and voted in favourable on matters related to the Hills.
Damien TUDEHOPE	Yes	Damien is a key leader of the NSW Reformers who were the driving force behind the installation of Liberal Councillors into the Hills Shire.
Natalie WARD	<i>No</i>	

Liberal MLCs who have a conflict



The men who stole the Hills
Chapter Two: The Hills Shire

Questions that should be looked in

Question 1

Why was the family of a developer recruited by the Right to join the Baulkham Hills Branch?

Was there any specific purpose for this?

Why in a different faction's branch? Why not in their own branch?

Question 2

Did Chris Rath and the other Moderates know what the intention of the Right and Charles Perrottet was when they agreed to the Constitutional reforms proposed by Charles?

Did they intend for any other branches to be moved for themselves?

Were they happy for the Right to move their branches in?

Question 3

Did Chris Rath know that the Right intended to install candidates for any specific reason?

Why did he support them so much?

Is it true they could not have achieved this without Chris' help on State Executive?

What did he get in return?

Question 4

Did Christian Ellis pay for the SC advice he obtained regarding Baulkham Hills branch or did someone else pay for it?

Does he still have the invoice?

How did he find this SC? Was he referred to this SC by anyone?

Question 5

How did the LGOC come up with the names of candidates to parachute for Hills Shire and Bayside?

Who was consulted? How did they know these people would accept?

Were any criteria used?

The men who stole the Hills
Chapter Two: The Hills Shire

Question 6

How was Matthew Mason-Cox made aware of the secret LGOC process?

Was he told by Peter Poulos? Why weren't any other MPs told? When was he told?

Question 7

How many other people did Charles Perrottet try to do deals with to get them onto councils via urgency?

What was the deal? How did he select his councillors?

Question 8

How was all of this multi-year effort worth it for Local Government representation?

How much time and money were spent on this effort? What was the return?

Why not accept a regular preselection and move on?

EVIDENCE & APPENDICES

Note: Sensitive information that could be used to identify sources, such as names and email addresses, have been redacted to protect the identities of unrelated third-parties.

Relevant sections of content have been highlighted for convenience. Where more than one colour has been used, the colour code would be in the relevant part of this document.



Fwd: Proposed Changes - Allocating Branches to LGC Selection Committee

1 message

Charles Perrotet
To: Peter Poulos

Mon, Jul 22, 2019 at 4:04 PM

Please find below proposed amendments to allow the allocation of branches to LGCs for the purposes of forming a Selection Committee.


Two amendments:

1. Add blue:

7.4 ALLOCATION OF LOCAL BRANCHES TO CONFERENCES

7.4.1 Basis Upon Which State Executive is to Allocate a Branch to Conferences Upon the formation of an Ordinary Branch, Young Liberal Branch or Women's Branch, **by motion**, or following a redistribution, State Executive must allocate each Ordinary Branch, Young Liberal Branch or Women's Branch to an FEC, SEC and LGC as follows:

2. Insert: 7.4.2 Transfer to Another Conference - attached.

 **7.4.2 amendments.pdf**
32K

7.4.2 Transfer to Another Conference

7.4.2.1 Transfer between FEC or SEC

(1) A Local Branch may carry a motion to transfer from one FEC or SEC ~~or LGC~~ to another.

(2) A Local Branch may only transfer from one FEC or SEC ~~or LGC~~ to another after a motion is to that effect is also carried by State Council and the FEC or SEC ~~or LGC~~ to which the Branch wishes to transfer.

7.4.2.2 Transfer between LGC

(1) A Local Branch may only transfer from one LGC to another, after resolution of the Local Government Oversight Committee, then approved by motion, carried by simple majority, of the State Executive.



Re: Proposed changes - Non Functioning LGCs

2 messages

Chris Rath

To: Charles Perrottet

, Dallas J McInerney

Mon, Jul 22, 2019 at 6:56 PM

>

Looks good.

I don't have an editable version of the constitution on me.

Can you amend to include:

If in any Federal electorate, State electorate, or Local Government Area, **before 31 December 2020:**

(2) State Executive may endorse a member of the Organisation as the Division's Candidate **by motion passed by a majority of not less than**

60% of the members of State Executive present and voting, but State Executive must:

From: Charles Perrottet

Sent: 22 July 2019 11:15

To: chris rath

Dallas J McInerney

Subject: Proposed changes - Non Functioning LGCs

Hi Chris,

Proposing that the below will resolve issues for Non-Functioning LGCs...can you please confirm with your people that this is suitable and include the sunset clause Trent proposed?

Proposed changes (Red = Remove, Blue = Add)

26.1.1 Formation

If more than one person nominates for endorsement as the Liberal candidate for election to an office in local government, a Selection Committee **must may** be formed to select the Liberal candidate.

21.6.1 Local Bodies not functioning

If in any Federal **electorate**, **or** State electorate, **or Local Government Area**:

- (1) there is no **functioning** FEC, FEB, SEC **or**, SEB, **or** LGC (as the case may be); or
- (2) **all the Branches that are allocated to the FEC or SEC fail, or the FEB or SEB fails, to elect members of a Selection Committee within a reasonable time after request by State Executive,**
- (2) **no Selection Committee has been formed**

State Executive may endorse a member of the Organisation as the Division's candidate, but State Executive must:

- (3) confer with the Committee or the members of the FEC, SEC, **or LGC** (if any), or the Committee of the FEB or SEB (if any); and
- (4) in selecting the candidate, must as far as practicable comply with the Selection Committee rules and procedures in **Appendix F**.

|



Fwd: Notice of Party Affairs Committee Meeting - 4:30pm, Tuesday, 23 July 2019

1 message

Charles Perrottet
To: Peter Poulos

Tue, Jul 23, 2019 at 12:41 PM

FYI - principles attached.

We need to now draft these and give to Simon McInnes to send to CSC once we get these passed tonight.

----- Forwarded message -----

From: **Dallas J McInerney** <dallas_mcinerney@hotmail.com>

Date: Tue, Jul 23, 2019 at 12:26 PM

Subject: Re: Notice of Party Affairs Committee Meeting - 4:30pm, Tuesday, 23 July 2019

To: Simon McInnes

james r.m. wallace

, chris-rath

simonfontana7

Melissa McIntosh

au>

Philip Ruddock

Thanks Simon

To assist this afternoon's meeting, below is a list of issues with suggested remedies supported by myself and Patrick

Regards

Dallas

Unresolved constitutional changes

The following proposals should be considered by the Party Affairs Committee as a means to brokering a resolution to the outstanding and unresolved constitutional changes:

Issue	Comments	Clause references
Legislative Council and Senate	The constitution provides that selection committee meetings will be held for "winnable positions" in full or half Senate elections. However, there is no mechanism to determine what a 'winnable' position is. The State Executive should determine the number of winnable positions at the time of setting the selection timetable, based on the recommendation of the state director. Candidates for non-winnable positions will be determined by the State Executive (not by State Council). The same position should apply for the legislative council elections.	3.8.1 (Appendix F)
Suspended members	Clarify that members who are suspended for longer than 6 months will no longer hold any office bearer position or voting rights.	3.10.4
Young Liberal female vice president	No change required since the position already exists- one of the two urban vice presidents must be a woman.	15.6.1 (Row F)
SEBs	All references to SEBs should be removed from the constitution. An SEB should function as both a separate branch and a separate SEC and be hold such entitlements.	8.2 and throughout the constitution
Exhaustive balloting	Compulsory preferential voting should be used for selection meetings for the Legislative Assembly, House of Representatives and each position in a Local Government selection.	N/A

Local conferences not functioning	If in any Federal electorate, State electorate, or Local Government Area, before 31 December 2020, there is not a functioning FEC/SEC/LGC and no selection committee has been formed then State Executive may endorse a member of the Organisation as the Division's Candidate by motion passed by a majority of not less than 60% of the members of State Executive present and voting and follow Appendix F as far as practicable.	21.6.1
Transfer to another conference	A Local Branch may only transfer from one LGC to another, after resolution of the Local Government Oversight Committee, then approved by motion, carried by a simple majority, of the State Executive.	7.4.2
Allocation of local branches to conferences	State executive "by motion" can allocate local branches to conferences, not only as part of a redistribution. Previously this would have been done by special powers and is impractical for the constitution not to include this flexibility.	7.4.1
Two years continuous membership	Two month grace period (i.e. 31 August) in which a member can renew their membership before their continuity of financial membership is interrupted.	
General Membership	Proposed amendments to be deferred.	

From: Simon McInnes

Sent: Tuesday, 23 July 2019 12:33 AM

To: james r.m. wallace

Melissa McIntosh

; chris-rath

; simonfontana7

Philip Ruddock

Subject: RE: Notice of Party Affairs Committee Meeting - 4:30pm, Tuesday, 23 July 2019

Dear All,

This is just a quick email to confirm that the teleconference meeting of the Party Affairs Committee is on this afternoon, starting at 4:30pm.

The agenda for the meeting is as follows:

- Welcome and apologies;
- Further discussion on the inconsistencies and potentially unintended construction errors within the new preselection eligibility criteria in the Constitution be taken offline with the areas to be agreed upon being:
 - o What is the grace period in which a member can renew their membership before their continuity of financial membership is interrupted? Will it be July and August (which reflects the grace period in the Constitution before an office-bearer loses their position) or will be July, August, September and October (after which a member ceases to be a Local Branch Member); and
 - o Should periods of general membership count towards a members continuous financial membership and, if not, can members who become general members for a short period of time (for example, Young Liberal ageing out and temporarily becoming general members) be excluded from this exclusion?
- Other potential changes to the Constitution that still required discussion offline, being:
 - o For Senate and Legislative Council selections, should and how do State Executive determine what are winnable positions? It was suggested that winnable positions could be determined by State Executive on the written recommendation of the State Director, backed up by research. It was noted that if State Executive are to determine winnable positions then candidates for non-winnable positions would also be determined by State Executive. It was discussed that including all positions in a proportional representation system ballot lowers the quota.
 - o What the impact of suspending a member should be. That is, do they lose their office-bearer positions immediately or after, for example, one month? Should they also lose their 'voting rights' for a period of time or get them back immediately once the suspension has finished?

- o Does the Constitution need to be amended to exclude the concept of an SEB or should the entitlement to State Council Delegates for SEBs be amended so that they only get 1 delegate if they have less than 20 members but more than 10 members?
- o Does the Young Liberal Executive position of Female Vice-President need to be reinstated given that there currently is a requirement that one of the existing Vice-President positions must be a female?
- o A number of issues regarding local government selections:
 - § Should the Constitution be amended so that in the situation of State Executive deciding to contest a local government election in a local government area where there is no LGC, that State Executive be given the power to resolve that State Executive can move a motion to form a Selection Committee in these situations from members of branches within the local government area;
 - § The Regulations need to be amended to include how local government selections will take place and what balloting method should be used. Previously exhaustive balloting has been used with each position on each ticket being determined separately;
 - § It was suggested that State Executive only call for nominations for winnable positions in each ward (at the written recommendation of the State Director) with candidates for unwinnable positions on the ticket being determined by State Executive, in consultation with the lead candidate on each ticket; and
 - § Consideration be given, if each winnable position on the ticket entails a selection, that a compulsory preferential ballot be used rather than exhaustive balloting as this will save time at the Selection Committee meeting.

I had noted in my previous email that I would attempt to draft some of the other changes agreed upon by the Party Affairs Committee to discuss at this reconvened meeting. Unfortunately, I have not had this opportunity so these changes will be drafted with whatever outcomes there are from today's meeting.

Call in details are the same as previous, that is, the teleconference number is 02 9083-3131, the conference code is 1043101831, the conference PIN is 7703 and it is your responsibility to dial into the teleconference meeting.

Kind regards,
Simon

From: Simon McInnes
Sent: Tuesday, 16 July 2019 4:09 PM
To: 'James Wallace' ; chris-rath ; simonfontana7
'Melissa McIntosh'
Philip Ruddock'
Subject: RE: Notice of Party Affairs Committee Meeting - 4:30pm, Tuesday, 15 July 2019

Dear All,

The State President has advised that he is unable to attend the reconvened meeting of the Party Affairs Committee planned for this Friday afternoon.

As such, I have rescheduled the meeting to 4:30pm on Tuesday, 23 July 2019.

Please let me know if this causes you any issues.

Kind regards,
Simon

From: Simon McInnes
Sent: Tuesday, 16 July 2019 11:53 AM
To: 'James Wallace' ; chris-rath ; simonfontana7
'Melissa McIntosh'
Philip Ruddock'
Chris Stone
Cc: Dorina Ilievska
Subject: RE: Notice of Party Affairs Committee Meeting - 5:00pm, Monday 15 July 2019
Importance: High

Dear All,

My understanding of the outcome from last night's meeting of the Party Affairs Committee is as follows:

- The draft changes to the Constitution (as previously circulated) that reflect the changes adopted at previous Party Affairs Committee meetings are adopted with the following changes:
 - o Clause 9.4.1 revert to the earlier suggestion: "or such other date as State Executive may determine, which must be within 3 months of 30 November in each odd year";
 - o Clause 15.5.1 revert to the earlier suggestion: "or such other date as State Executive may determine, which must be within 3 months of 31 October in each odd year"; and
 - o Clause 16.6.1 revert to the earlier suggestion: "or such other date as State Executive may determine, which must be within 3 months of 31 October in each odd year".
- It was noted that the Party Affairs Committee is happy for Young Liberal Executive elections to be held every 2 years and that the draft changes circulated reflect this;
- That these draft changes now be put to State Executive by electronic ballot to consider and, if agreed, to then instruct the Constitution Standing Committee to draft (or in this case concur with) the changes for State Executive to consider prior to putting to members at the State Council meeting on 7 September 2019;
- That further discussion on the inconsistencies and potentially unintended construction errors within the new preselection eligibility criteria in the Constitution be taken offline with the areas to be agreed upon being:
 - o What is the grace period in which a member can renew their membership before their continuity of financial membership is interrupted? Will it be July and August (which reflects the grace period in the Constitution before an office-bearer loses their position) or will be July, August, September and October (after which a member ceases to be a Local Branch Member); and
 - o Should periods of general membership count towards a members continuous financial membership and, if not, can members who become general members for a short period of time (for example, Young Liberal ageing out and temporarily becoming general members) be excluded from this exclusion?
- Other potential changes to the Constitution, raised in James Wallace's paper, that still require discussion offline, as follows:
 - o For Senate and Legislative Council selections, should and how do State Executive determine what are winnable positions? It was suggested that winnable positions could be determined by State Executive on the written recommendation of the State Director, backed up by research. It was noted that if State Executive are to determine winnable positions then candidates for non-winnable positions would also be determined by State Executive. It was discussed that including all positions in a proportional representation system ballot lowers the quota.
 - o What the impact of suspending a member should be. That is, do they lose their office-bearer positions immediately or after, for example, one month? Should they also lose their 'voting rights' for a period of time or get them back immediately once the suspension has finished?
 - o Does the Constitution need to be amended to exclude the concept of an SEB or should the entitlement to State Council Delegates for SEBs be amended so that they only get 1 delegate if they have less than 20 members but more than 10 members?
 - o Does the Young Liberal Executive position of Female Vice-President need to be reinstated given that there currently is a requirement that one of the existing Vice-President positions must be a female?
 - o A number of issues regarding local government selections:
 - § Should the Constitution be amended so that in the situation of State Executive deciding to contest a local government election in a local government area where there is no LGC, that State Executive be given the power to resolve that State Executive can move a motion to form a Selection Committee in these situations from members of branches within the local government area;
 - § The Regulations need to be amended to include how local government selections will take place and what balloting method should be used. Previously exhaustive balloting has been used with each position on each ticket being determined separately;
 - § It was suggested that State Executive only call for nominations for winnable positions in each ward (at the written recommendation of the State Director) with candidates for unwinnable positions on the ticket being determined by State Executive, in consultation with the lead candidate on each ticket; and

§ Consideration be given, if each winnable position on the ticket entails a selection, that a compulsory preferential ballot be used rather than exhaustive balloting as this will save time at the Selection Committee meeting.

- Potential changes to the Constitution that were raised in James Wallace's paper that were agreed upon and will require draft changes to the Constitution are as follows:
 - o Amend the definition of "Proscribed Organisation" to include 'active' membership of GetUp or other like organisations, with the State Director to prescribe what organisations this may include and what constitutes 'active' membership, details of which are to be published on the Division's website;
 - o Amend clause 9.1.3 of the Constitution to stipulate that where the State Director removes a State Council Delegate in accordance with this clause, that the State Director also be compelled to advise the delegate of their removal and also the President and Secretary of the relevant body;
 - o That clause 3.12 of the Regulations: Conduct of Selections be amended so that the definition of an absolute majority be a majority of votes cast and does not include abstentions, votes not cast or invalid votes;
 - o Eliminate the requirement in clause 2.3 of the Regulations: Conduct of Elections, that the Returning Officer select State Executive scrutineers to witness the drawing of scrutineers for State Council, Young Liberal Executive and Women's Council elections.
 - o Amend the Constitution and the Regulations: Conduct of Elections so that candidates for Vice-Presidential positions can appoint their own scrutineers should they so wish;
 - o Amend clause 15.6.1 of the Constitution, line 5, column B, with respect to Directors and Officers of Young Liberal Council, to read: "The first 3 elected candidates are to be Directors of Young Liberal Council" and "The next 3 elected candidates are to be Officers of Young Liberal Council"; and
 - o Amend the Constitution such that Conference meetings must be held at a location within the Conference or an adjoining Conference, as long as the venue is no more than 100 kilometres from the border of that Conference.
- There was one other potential change to the Constitution that was raised in James Wallace's paper which the Party Affairs Committee did not believe required changes to the Constitution. That is, there is no need to clarify in the Constitution that where a State Executive member abstains from casting a vote in a ballot, they are not counted for the purpose of determining the total number of voters. It was noted that this a common meeting practice as well as being the practice adopted by the Division and, as such, it was not necessary to enshrine this in the Constitution.

It was also agreed that Party Affairs Committee members would discuss the offline matters noted above and agree a position before the Party Affairs Committee reconvenes at 5:00pm on Friday, 19 July 2019. In the meantime I will:

- Draft an electronic ballot to send to State Executive for the agreed changes; and
- Draft some initial changes to the Constitution that reflect the extra agreed changes noted above, for discussion on Friday's reconvened meeting.

I hope that I have correctly captured the outcomes from last night's meeting, however, if I have not, then please get back to me as soon as possible.

Kind regards,
Simon

From: Simon McInnes

Sent: Monday, 15 July 2019 2:26 PM

To: 'James Wallace'

chris-rath

simonfontana7

Melissa McIntosh

Greg Smith

; Philip Ruddock

Cc: Chris Stone

; Dorina Ilievska

Subject: RE: Notice of Party Affairs Committee Meeting - 5:00pm, Monday 15 July 2019

Dear All,

Just a quick email to confirm that tonight's meeting of the Party Affairs Committee will be at 5:00pm and will be held by teleconference. Call in details are the same, that is, the teleconference number is 02 9083-

3131, the conference code is 1043101831, the conference PIN is 7703 and it is your responsibility to dial into the teleconference meeting.

The agenda for the meeting is as follows:

1. Welcome and apologies;
2. Draft changes to the Constitution (as previously circulated) that reflect the agreed changes adopted at the previous Party Affairs Committee meeting (refer email below). Once the Party Affairs Committee agrees that these draft changes reflect the agreed changes, then it is proposed that these draft changes be put to State Executive by electronic ballot. From there it needs to go to the Constitution Standing Committee to confirm that the draft changes to the Constitution reflect the agreed changes, after which it will come back to State Executive to resolve to then put it before State Council on 7 September;
3. Discussion on the inconsistencies and potentially unintended construction errors within the new preselection eligibility criteria in the Constitution. Thank you to James for his note on this. If these are the principles we are trying to encapsulate then the changes to Constitution are reasonably simple;
4. Discussion on other "offline" items including Young Liberal Executive election frequency, conducting Selection Committee meetings where there is no LGC and having a semi-special powers clause in the regulations; and
5. Other areas of the Constitution that may require amending. Thank you again to James to his helpful note on this.

Kind regards,
Simon

From: James Wallace

Sent: Friday, 12 July 2019 10:59 AM

To: Philip Ruddock

Cc: Simon McInnes

; chris-rath

simonfontana7

Melissa McIntosh

Chris Stone

Dorina Ilievska

Greg Smith

Subject: Re: Notice of Party Affairs Committee Meeting - 5:00pm, Tuesday 9 July 2019

Hi All

As discussed, I attach a note on the local component selection eligibility and additional changes to the constitution.

Chris - it would be helpful to understand if you think any of the proposed changes are already addressed by the constitution.

Regards

James

On Wed, Jul 10, 2019 at 7:41 PM Philip Ruddock

wrote:

Thanks Simon for the brief i am only Free Monday at 5pm by Tele-Conference. Regards Philip

Sent from my iPhone
Hon Philip Ruddock

On Jul 10, 2019, at 7:01 PM, Simon McInnes

wrote:

Dear All,

As discussed at last night's Party Affairs Committee meeting, please find attached the following documents:

- Extract from the Constitution showing marked up changes that reflect the following agreed changes:

- o AGMs for State Council, Women's Council and Young Liberal Executive be held biennially in each odd year, with the term of office to be until the next AGM (refer below with respect to Young Liberal Executive election frequency);
 - o State Council elections be held by 30 November in each odd year or at such other date as State Executive may determine, but only by motion of 90%;
 - o Women's Council and Young Liberal Executive elections be held by 31 October in each odd year or at such other date as State Executive may determine, but only by motion of 90%;
 - o For State Council elections only, nominations open date, nominations closing date, ballot opening date and ballot closing date be adjusted so that balloting can commence after the Presidential speeches at the AGM;
 - o For Women's Council and Young Liberal Executive elections, an extra week be built into the election timeframes to allow for the production and dispatch of ballot papers;
 - o Allow postal voting by delegates from branches from regional electorates, similar to that currently allowed for delegates from branches from country electorates;
 - o Change the notice provisions of Appendix 2 so that members of branches of conferences receive notice of the meeting of the conference as is currently allowed under local branch membership rights;
 - o Clarify that in the situation of branches entitlement for additional delegates decreasing that it is the last person elected that is removed;
 - o Including a mechanism for State Executive to allocate branches to LGCs when boundary changes or amalgamations occur;
 - o Clarifying that a Councillor, during a meeting to decide if an LGC is to be formed, forms part of the quorum for the meeting;
 - o Clarifying that the State Director or staff member nominee not only convenes the meeting to decide if an LGC is to be formed but that the State Director or staff member nominee also chairs the meeting. The same provision to apply for the inaugural meeting of the LGC;
 - o Adjust the Regulations: Conduct of Elections, to ensure that proper reference is allowed for elections of Liberal Local Government Assembly;
 - o For the sake of clarity, rename the 10 elected general members of Women's Council as the "At Large Members of the General Committee of Women's Council";
 - o In the Standing Orders, rename a "Point of Procedure" as a "Point of Order"; and
 - o Correct typographical errors in clauses 4.1.5, 8.3.1, 22.1.3(2)(b), Appendix b.3, Row 1, paragraph 5 and Appendix D4, Row 3, Column B.
- Legal advice from Michelle Harpur regarding the inconsistencies and potentially unintended construction errors within the new preselection eligibility criteria in the Constitution.

It was agreed that discussion on a number of items would be taken offline, namely;

- Whether the Young Liberal Executive elections should be each odd year or should stay as yearly elections;
- Whether the Constitution needs adjusting to take into account situations where there is no LGC which, in its current form, means there can be no local government Selection Committee, that is, if there is no LGC, there can be no endorsed Liberal local government candidates;

- Whether the Regulations: Conduct of Elections, needs a semi-special powers clause that would allow State Executive to determine, by a majority of 90%, whether to override the provisions of the Regulation and allow another mechanism for conducting elections (e.g. electronic balloting);
- To discuss the inconsistencies and potentially unintended construction errors within the new preselection eligibility criteria in the Constitution with a view to determining what are the principles that were trying to be encapsulated, using a series of examples to demonstrate who would be eligible to be a selector and who would not be eligible to be a selector; and
- Discussing other areas of the Constitution that require amending.

The Party Affairs Committee is to reconvene on the late afternoon either Monday, 15 July or Tuesday, 16 July 2019 with a view to resolving the above matters so that an electronic ballot can be issued to State Executive, so that State Executive can then issue appropriate instructions to the Constitution Standing Committee to draft the changes (or agree to those already proposed), so that State Executive can then adopt those changes at its next face-to-face meeting at the end of the month with a view to recommending the adoption of the changes at the State Council meeting of 7 September 2019, noting 3 weeks' notice of the changes needs to be given to State Council members.

Let me know if you think I have missed anything and please don't hesitate to call me if any of the above requires clarification.

Kind regards,

SIMON MCINNES

Deputy State Director

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From: Simon McInnes

Sent: Monday, 8 July 2019 2:54 PM

To: chris-rath
simonfontana7

>; james r.m. wallace
'Melissa McIntosh'

Cc: Chris Stone

Dorina Ilievska

Subject: RE: Notice of Party Affairs Committee Meeting - 5:00pm, Tuesday 9 July 2019

Dear All,

In preparation for tomorrow night's teleconference meeting of the Party Affairs Committee, please find attached the following documents;

- Extract from the Constitution with marked up changes to reflect changes to the Constitution required to overcome conflicts and practical impediments as set out the report tabled at the State Executive meeting on 28 June 2019 including;

- o Holding on Young Liberal and Women's Council AGMs by 31 October in odd years;
- o Holding State Council AGM by 30 November in odd years;

- o Office-bearer terms being until the next AGM;
 - o State Council nominations opening and closing earlier and balloting commencing at the AGM;
 - o Adjusted timeframes for Young Liberal and Women's Council elections to allow for preparation of ballot papers between nominations closing and balloting commencing; and
 - o Allowing members from branches within Regional Electorates to not have to vote in person (like members from branches within Country Electorates).
- A list of other “non-controversial” issues within the Constitution that require clarification and/or guidance.
 - For ease of reference, another copy of the papers tabled at the State Executive meeting with respect to;
 - o Holding of AGMs/internal elections and inconsistencies; and
 - o Unintended construction errors within the new preselection eligibility criteria.

Please note that the list of other “non-controversial” issues in the Constitution is not all encompassing. There are quite a few other matters, which we think may be controversial, which we will raise at future meetings of the Party Affairs Committee to seek guidance on.

The teleconference number is 02 9083-3131, conference code 1043101831, conference PIN 7703. It is your responsibility to dial into the teleconference meeting.

Kind regards,

SIMON MCINNES

Deputy State Director

[W www.nsw.liberal.org.au](http://www.nsw.liberal.org.au)



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From: Simon McInnes

Sent: Tuesday, 2 July 2019 4:42 PM

To: chris-rath
simonfontana7

james r.m. wallace
; 'Melissa McIntosh'

Cc:

Chris Stone

Dorina

Ilievska

Subject: Notice of Party Affairs Committee Meeting

Importance: High

Dear All,

The State President has called a meeting of the Party Affairs Committee, to be held by teleconference, for 5:00pm on Tuesday, 9 July 2019.

As discussed at last Friday's State Executive meeting, the meeting is to discuss:

- Changes to the Constitution to enable Young Liberal Executive, Women's Council and State Council elections this calendar year;
- Other, non-controversial changes required to the Constitution; and
- Inconsistencies and unintended construction errors within the new preselection eligibility criteria in the Constitution.

For your convenience, a copy of the paper tabled at last Friday's State Executive meeting regarding proposed constitutional changes to enable Young Liberal Executive, Women's Council and State Council elections to be held this calendar year along with the paper on the inconsistencies and unintended construction errors within the new preselection eligibility criteria in the Constitution, are attached for your reference.

Further papers and teleconference call in details will be sent out in the ensuing days.

Kind regards,

SIMON MCINNES

Deputy State Director

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Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>

<Extract from NSW Constitution adopted 10 February 2018 (v1.4 - Nov 2018) - with draft amendments.pdf>

<Legal Advice - Inconsistencies & Construction Errors in Preselection Eligibility Criteria.pdf>

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>



image001.jpg
40K

State Council Election Results and Women's Council Election Results

6 messages

Chris Stone

Thu, Nov 28, 2019 at 11:22 AM

To: [REDACTED]

No Images? [click here](#)

Dear Liberal Party Member,

The results of the recently concluded 2019 State Council elections and 2019 Women's Council elections are as follows:

STATE COUNCIL ELECTIONS

President:

- Hon Philip Ruddock

Urban Vice-Presidents:

- Penny George
- Christopher Rath

Country and Regional Vice-Presidents:

- Tobias Lehmann
- Aileen MacDonald

Urban Representatives:

- James Wallace
- Matthew Camenzuli
- Matthew Hana
- Chantelle Fornari-Orsmond
- Martin Zaiter
- Sally Betts
- Zac Miles
- Michelle Byrne
- Christian Ellis
- Jacqui Munro

Country and Regional Representative:

- Michelle Bishop
- Damien Jones
- Patrick Doherty
- Mark Croxford
- Anna Chandler
- Jemma Tribe

Chair of Convention Committee:

- Alexander Dore

Convention Committee:

- Samuel Uno
- Robert Assaf
- Mark Rusev
- Kellie Sloan
- Pallavi Sinha
- James Hannah
- Dylan Whitelaw

Delegates to Federal Council:

- Ned Mannoun
- Dallas McInerney
- Tobias Lehmann
- Penny George
- Caity McLoughlin
- Chantelle Fornari-Orsmond
- Naji Najjar
- Dimitry Palmer
- Michael Stublely
- Jacqui Munro

Joint Standing Committee on State Policy:

- Julia Prieston
- Kevin Baker
- David Hull
- Jessie Nguyen
- Robert Assaf
- Leo Wei

Constitution Standing Committee:

- Tobias Lehmann
- Bran Black
- Wade McInerney
- Martin Zaiter
- Rory Amon
- Matthew Hana
- Edwin Nelson

Rural and Regional Committee:

- Mitchell Nadin
- Luke Sikora

- Blake Keating
- Michael Banasik
- Zac Baylis
- Alan Akhurst
- Troy Wilkie

Local Government Oversight Committee:

- Peter Poulos
- Jeff Egan
- Charles Perrottet
- Harold Stutchbury
- Karen Howard
- Dallas McInerney
- Aaron Henry

WOMEN'S COUNCIL ELECTIONS

President:

- Mary-Lou Jarvis

Urban Vice-President:

- Cristina Talacko
- Jacqui Munro

Country Vice-President:

- Amy Lehmann
- Margo Johnstone

Secretary:

- Melanie Brown

Treasurer:

- Shayne Miller

Membership Secretary:

- Natarsha Terreiro

At Large General Committee Members:

- Laura Boomsma
- Sharon Ani-Watts
- Joanne Bromilow
- Brigid Meney
- Sophie Winton
- Amanda Choularton
- Adelaide Cuneo
- Belinda Russell
- Julia Prieston

- Christine Kay

I congratulate all those who have been elected to positions, and sincerely thank those who were not successful, for being part of this most important process.

Yours sincerely

Chris Stone
State Director

Authorised by Chris Stone, Liberal Party of Australia NSW Division.

Level 12, [100 William Street, East Sydney NSW 2011](#).

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LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The State Director advised the Local Government Oversight Committee (LGOC) on Monday 2 March 2020 that the State Executive resolved:

“to defer discussion on the 3 draft motions and that these 3 draft motions be referred to the Local Government Oversight Committee for consideration at their 4 March 2020 meeting and for the Local Government Oversight Committee to report back to State Executive on their recommendation regarding these 3 draft motions no later than 1 week before the next State Executive on 27 March 2020.”

The LGOC met on Wednesday 4 March 2020 to explore the next series of preselection options and resolved to defer these matters for further consideration.

Following this, the Local Government Oversight Committee met again on Thursday 12 March 2020 and proposed a selection timetable for Series 2 and 3.

It also determined a sensible pathway towards comprehensively addressing opportunities in other council areas not identified by the aforementioned motions.

Recommendations to State Executive

That State Executive approves the following adopted recommendations from the Local Government Oversight Committee Meeting held on Thursday 12 March 2020.

Each recommendation reflects the issues raised for consideration by the State Executive on Friday 28 February 2020.

Recommendations to form Local Government Conferences:

- 1. The Local Government Oversight Committee recommends immediate approval for the formation of the Shoalhaven LGC and the Coffs Harbour LGC.**
- 2. The Local Government Oversight Committee continues to consult and carefully assess matters in relation to the Burwood, Hunters Hill and Strathfield applications pursuant to clauses 8.3.1(3) and 14.3.4.**

Recommendation to Run Endorsed Liberal Candidates (Series 2):

State Executive open Series 2 nominations for the following Council areas:

Armidale Regional Council, Blue Mountains, Coffs Harbour, Liverpool, Queanbeyan-Palerang, Shoalhaven, Sutherland, Sydney (Lord Mayoralty) and Wollongong.

Nominations for Series 2 Council Areas open at 9am on Wednesday 25 March 2020 and close at 5pm on Wednesday 15 April 2020.

Recommendations to Run Endorsed Liberal Candidates (Series 3):

State Executive open Series 3 nominations for the following Council areas:

Bayside, Burwood, Fairfield, Georges River, Hornsby Shire, Hunters Hill, Inner West, City of Parramatta, Penrith, Strathfield City and The Hills Shire.

Nominations for Series 3 Council Areas open at 9am on Friday 15 May 2020 and close at 5pm on Friday 29 May 2020.

Any outstanding deemed unwinnable positions from the previous Series 1 and 2 to be completed during this period.

NB: That the nominations for Cumberland LGC and Blacktown LGC be deferred for further consultation and assessment by the Local Government Oversight Committee.

[The Chair recused himself during the consideration of Series 3 Council areas]

Criteria for referring Council areas into Series 3

- Branches have outstanding disputes yet to be finalised;
- Some LGAs are in strong Liberal areas which require less time to field candidates compared to others;
- Key stakeholders have requested their LGCs hold selection meetings at a later date;
- Branches are in the process of being established or shifted between LGCs;
- LGCs have a history of simmering internal tensions or LGCs are suspended;
- LGCs do not exist and might be established;
- A number of LGAs should be encouraged to provide for Liberal representation as this opportunity cannot be realised at a State/Federal level;
- Endorsed Liberal Councillors have already served a term in Local Government without a functioning LGC in place;
- Concern that some LGAs will not pursue the 40% female target;
- Reputational risk to the Division as some tickets consist of potential candidates who have strong links to the property development sector;
- Potential legislative or internal constitutional changes designed to prohibit property developers might occur.

Recommendation to Determine Winnable Positions (Series 2):

With respect to the Local Government Election being held on 12 September 2020, the number of winnable positions by Local Government Council Area for Series 2 Pre-selections shall be determined as follows:

COUNCIL	TOTAL POSITIONS	WINNABLE POSITIONS
Armidale	11	1
Blue Mountains	12	3
Coffs Harbour	8	1
Liverpool	10 plus Mayor	4 and contest Mayor
Queanbeyan-Palerang	11	1
Shoalhaven	12 plus Mayor	3 and contest Mayor
Sutherland	15	8 in total and applied as follows: A Ward=2 B Ward=2 C Ward=2 D Ward=1 E Ward=1
Wollongong	12 plus Mayor	3 and contest Mayor
Sydney	Lord Mayor	1

Recommendation to Determine Winnable Positions (Series 3):

That the determination of winnable and unwinnable positions for the Series 3 Council areas be deferred and considered at a later date by the Local Government Oversight Committee following further consultation and review.

[The Chair recused himself during the consideration of Series 3 Council areas]

Recommendations to the Constitutional Standing Committee

That the Constitutional Standing Committee (CSC) urgently proposes amendments to the Constitution by addressing the following:

- a) That the provisions of clauses 21 and 26 be amended so that Prohibited Property Developers and Associates as defined under the Electoral Funding Act 2018 (NSW) are ineligible to nominate for selection as an endorsed Liberal candidate for office in local government elections.**
- b) Any other minor matters related to Local Government.**

Report prepared by:

Peter Poulos, Chair, Local Government Oversight Committee

14 March 2020

Circular Details	20-10 / 25 March 2020 / A696536
Previous Circular	20-06 Novel Coronavirus (COVID-19) Development Updates
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team/ 02 4428 4100/ olg@olg.nsw.gov.au
Action required	Information

Postponement of the September 2020 Local Government Elections

What's new or changing?

- The Minister for Local Government has announced that the September 2020 local government elections will be postponed to address the risks posed by the COVID-19 virus.
- The *Local Government Act 1993* (the Act) has been amended to confer on the Minister, a time-limited power to postpone council elections.
- The amendment, which operates for only a limited period of 12 months, allows the Minister by an order published in the Gazette, to postpone elections for 12 months from the date of the order. The order may be extended for an additional period to 31 December in the year after the order is made.
- The postponement of the next election will not change the future schedule of council elections, and the subsequent election will still proceed in September 2024.

What this will mean for your council

- Where the Minister exercises the power to postpone elections under section 318B, the election requirements of the Act are suspended for the period specified in the order and current councillors will continue to hold their civic offices.
- Popularly elected mayors will continue to hold their office until an ordinary election is held. In the case of mayors elected by councillors, mayoral elections will need to be held for mayors elected in September 2018 when their two year-terms expire. Mayors elected in September 2019 will continue to hold office until September 2021, once the election date is determined.
- The composition of joint organisation boards may need to change if mayors of member councils elected by councillors are not re-elected.
- The postponement of elections will have implications for the activities councils may be required to undertake in the current and next integrated planning and reporting (IP&R) cycles. In general, OLG will seek to extend the current IP&R cycle for 12 months, with a next cycle to be truncated to 3 years. The Office of Local Government will be providing further detailed guidance on this and other changes to statutory timeframes that may become necessary as a result of deferring elections.

Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

Issue/Matter

Discussion/Resolution

**Strategic
Discussion - 2020
Local Government
Elections:**

A report by the Local Government Oversight Committee, in response to a request from State Executive at its last meeting, regarding contesting further local government areas, was tabled (pages 41-44). It was noted that this report had been circulated earlier, however, since then the 2020 local government elections have been deferred until September 2020.

After discussion, it was agreed to defer discussion on the report until the next face to face meeting of State Executive.

Motion: State Executive resolves that the report of Local Government Oversight Committee tabled be discussed at the next face to face meeting of State Executive.

CARRIED

State Executive also discussed what would happen with regard to nominations already received for the 20 local government areas that the Party has already resolved to contest. Questions were raised whether these nominations were valid given they refer to local government elections in 2020.

It was agreed that the State Director would seek advice and put forward a firm proposal for State Executive to consider at its next meeting.

**Party Affairs –
General Members:**

A report on new applications from people applying as general members and on those new members who had applied to join branches but were not accepted, was tabled (pages 45-46) and discussed.

Motion: That State Executive resolves to note the new general members accepted by the State Director and to accept as new general members the applicants whose membership to join a local branch was rejected, as is detailed in tabled report.

CARRIED

**Party Affairs –
Other Party Affairs
Matters:**

A report on Other Party Affairs Matters was tabled and discussed (pages 47-51).

Membership Application of Bohdan Brumerskyj

It was noted that the Secretariat is still consulting with local Members of Parliament as requested at the previous meeting of State Executive.

Membership Application of Ian Abbott

It was noted that the Secretariat has received an application from Ian Abbott to join the Cheltenham Branch. Mr Abbott was previously a member of the Australian Conservatives and is prohibited from joining the Party until 11 April 2021.

It was noted that Mr Abbott seeks a waiver from State Executive to allow him to join the Division prior to the expiration of his prohibition period. He states that he joined the Australian Conservatives “hoping to make a difference on family and other social issues”, but subsequently decided that he would be better served by joining the major party most aligned to his views.

BODY: State Executive

DATE: 1 May 2020

SUBJECT: Local Government Elections

Recommendation(s): That State Executive resolve to note and adopt the motions as set out below.

1. Background

- 1.1 The 2020 local government elections were originally scheduled to be held on Saturday 12 September 2020.
- 1.2 By electronic ballot declared on 24 February 2020, State Executive resolved to contest elections in 20 local government areas and set the date for the opening and closing of nominations along with setting the period for campaign powers.
- 1.3 The text of the motions carried are as follows:

Resolution 1

“That State Executive resolves, pursuant to clauses 21.1.1(1) and 21.1.2(1)(b) of the Constitution, to contest the following local government areas at the 2020 local government elections and that nominations for selection as a Liberal endorsed candidate open at 9:00am on Wednesday, 26 February 2020 and close at 5:00pm on Wednesday, 11 March 2020:

- Camden
- Campbelltown
- Canada Bay
- Canterbury-Bankstown
- Central Coast
- Cessnock
- Hawkesbury
- Lake Macquarie
- Lane Cove
- Maitland
- Mid-Coast
- Newcastle City
- Northern Beaches
- Port Stephens
- Randwick
- Ryde City
- Sydney
- Tweed Shire
- Waverley
- Woollahra”

Resolution 2

“That State Executive resolves, pursuant to clause 21.1.2(5) of the Constitution, with respect to the local government areas set out on motion 1 above, that the winnable and unwinnable positions in these areas are as set out in Annexure A attached.” [as attached to the original ballot]

Resolution 3

“That State Executive resolves, pursuant to clause 21.1.2(3) of the Constitution, that the manner of nomination for the 2020 local government elections is as set out in Annexure B attached.” [as attached to the original ballot]

Resolution 4

“That State Executive resolves, pursuant to clause 3.17.2(1) of the Constitution, that the Campaign Period for the 2020 local government elections will be from 9:00am on Wednesday, 26 February 2020 through until 5:00pm on Friday, 25 September 2020.”

- 1.4** In accordance with Resolution 1, nominations for selection as a Liberal endorsed candidate for the specified Local Government Areas (Series 1 LGAs) opened on 26 February 2020 and closed on 11 March 2020. Nomination Review Committees (NRC) were then convened. A small number of NRCs have completed their deliberations but most have not.
- 1.5** On 25 March 2020, the Hon Shelley Hancock MP, Minister for Local Government, issued a media release postponing the local government elections for 12 months.
- 1.6** The text of the media release is as follows:
- “The NSW Government has made the regrettable decision to postpone the September local government elections for 12 months in the face of the COVID-19 pandemic.*
- Local government elections are a vital part of the democratic process, ensuring local councils are accountable to their local communities.*
- Therefore, the decision to postpone them has not been taken lightly but is necessary to ensure the health and safety of voters, NSW Electoral Commission staff and election candidates.*
- The decision follows Parliament passing amendments to the Local Government Act to provide me with the power to postpone the elections.*
- The NSW Electoral Commissioner has also requested that the Government postpone the council elections.*
- This decision provides certainty for local councils, communities and election candidates.”*
- 1.7** The various Public Health Orders made in response to the COVID-19 pandemic make it administratively difficult to proceed with selection of candidates for the Series 1 LGAs in compliance with the Constitution.
- 1.8** At its meeting on 27 March 2020, State Executive, in light of the deferral of the local government elections, deferred discussion on whether to open or close nominations for offices for LGAs, not being a Series 1 LGA, until the next face-to-face meeting of State Executive.
- 1.9** At the same meeting, State Executive discussed what would happen with regard to nominations already received for Series 1 LGAs that the Party has already resolved to contest. Questions were raised whether these nominations were valid given they refer to local government elections in 2020.
- 1.10** It was agreed that the State Director would seek advice and put forward a firm proposal for State Executive to consider at its next meeting.

2. Proposal

- 2.1** Essentially there are two alternatives on how to proceed. The first is to start the process again, including Series 1 LGAs. The second alternative is to complete the nomination process for candidates for Series 1 LGAs, but not proceed to selection. Nominations and selections for candidates for all other LGAs to be contested will be deferred until next year.
- 2.2** The Constitution does not provide any express guidance on either of these alternatives, however, a decision must be made that is in the best interests of the Party.

2.3 It is the State Director's firm view that the selection process has essentially been frustrated by the COVID-19 pandemic and postponement of the 2020 local government elections. Therefore, it would be in the best interests of the Party for the existing process to be abandoned and restarted fresh closer to the date of the elections. This is because the process of nomination, selection, campaigning and election is usually one continuous sequential process.

2.4 If the deliberations of all NRCs for candidates for Series 1 LGAs were to be completed, there would be a considerable passage of time of around 12 months between the acceptance of nominations and selection of candidates. This gives rise to a number of negative outcomes:

- Different Members may wish to nominate for the Series 1 LGAs next year than have nominated this year. Party members make decisions as to whether or not to nominate based on the knowledge that the elections will be held at a certain time, and according to their own circumstances at the time. In the course of the next 12 months, the cohort of people who wish to nominate for Series 1 LGAs may change. Some people may not have nominated in February had they known the elections would be postponed to September 2021. Others may have nominated this year, but due to events over the next 12 months, may not wish to nominate next year. Others may not have nominated in February for personal reasons (such as the illness of a family member), but would wish to nominate next year. In other words, different people may wish to nominate next year than have nominated this year. Whilst those who no longer wish to contest the election can withdraw their nomination, those who did not nominate in February will be disenfranchised by the loss of the opportunity to do so, should nominations not be re-opened;
- The criteria for nomination and selection may change. Motions have been moved but not carried that property developers should be prohibited from running for local councils, and with the deferral of the elections for 12 months, there may be time for a constitutional amendment to that effect;
- A candidate may cease to meet the eligibility criteria for nomination (set out in clause 21.2.1) in the 12 months between acceptance of their nomination and convening of selection committees;
- It is not the best or most efficient administration of the Division;
- Disclosures given in nomination forms will not be current at the time of selection.

2.5 Further, the State Director notes that:

- Resolution 1 refers to the "2020 local government elections. There are no elections to be held in 2020 and there is no purpose to the Series 1 LGAs NRCs. The State Executive resolutions passed in February 2020 were made in contemplation that the local government elections would be held in September 2020, as required by the Local Government Act.
- The resolution was passed at a time when the eventual impact of COVID-19 on our society was not known or understood, and before both State and Federal Governments brought in emergency measures from mid-March.
- The elections are now to be held in September 2021, with a possibility for the postponement to be extended to 31 December 2021. There is no doubt that Resolution 1 was valid at the time it was made, however, the basis on which the resolution was predicated, and NRCs formed, no longer exists, as the elections which were to be held in 2020 are now to be held in 2021.

- The Constitution implicitly contemplates that the process of nomination and selection within the Party for federal, state or local government office be one continuous process.
- The eligibility criteria at clause 21.2.1 is a pre cursor to nomination and is not restated for selection. The timetable for the steps in the nomination and selection process is set under clause 21.1.2 and implies that one step follow the other in an orderly fashion.

2.6 The State Director has sought advice in relation to this matter and it is also the view of our advisor that the preferred approach is that the process be started again.

2.7 It is the opinion of our advisor that should the Division’s decision be challenged in Court, the Court would likely prefer an approach which takes account of the shutdown of normal society occasioned by COVID-19, makes adjustments to the norm where needed, is seen to be fair to all members, and shows flexibility. As such, the option of restarting the process is most likely to result in a logical and fair outcome with good prospects of withstanding legal challenge.

2.8 Should State Executive agree with the State Director’s recommendation, the following motions will need to be carried by a simple majority:

Motion 1

That State Executive *RESOLVES* that the Division will no longer contest the offices for the Series 1 Local Government Areas specified in Resolution 1 in 2020, noting that there are now no local government elections to be held in 2020.

That State Executive *NOTES* that as a consequence of the passing of this Motion, the deliberations of all Nomination Review Committees convened for the purposes of clause 21.3.3 following the close of nominations for the Series 1 LGAs need not proceed, there being no purpose to them.

That State Executive further *NOTES* that as a consequence of the passing of this Motion, any candidate deemed to be accepted pursuant to clause 21.3.4(3) is no longer a candidate for office in the Series 1 LGAs.

Motion 2

That State Executive *RESOLVES* that, as there are no local government elections to be held in 2020, the Campaign Period will now conclude at midnight on 1 May 2020.

Chris Stone
State Director

.....

Issue/Matter

Discussion/Resolution

**Government
Assembly Pres.:**

He noted that local governments are also dealing with the impact of the COVID-19 pandemic.

**Fundraising and
Income Generation
– State and Federal
Fundraising:**

A report updating State Executive on State and Federal fundraising activities was tabled and discussed (pages 39-40). The Honorary Treasurer, Michael Hughes, spoke to the report and also talked about the Federal Forum webinar.

**Fundraising and
Income Generation
– Direct Marketing
and CRM:**

A report updating State Executive on regular giving, marketing campaigns and other CRM activities was tabled (pages 41-42). The State Director spoke briefly to the report. The report was noted.

**Strategic
Discussion - 2020
Local Government
Elections:**

A report on the 2020 local government elections was tabled (pages 43-46) and discussed. Conflicts declared earlier in the meeting from all local government Councillors on State Executive were noted.

The State Director advised that he has sought advice regarding the 2020 local government elections and the areas that the Party had already resolved to contest in tranche 1. He advised that the opinion was that the Division should start the process again, noting the risk of conducting the vetting process so far out if the other alternative was adopted.

The State Director also advised that he no longer wished to stop the campaign period outlined in the second motion in the papers as we are now in a by-election period.

State Executive discussed the paper and proposal in detail and it was agreed that the proposed should be amended such that the advice be supplied to the Local Government Oversight Committee and that the Committee be requested to report back to State Executive on their advice regarding contesting the local government elections in 2021.

Motion: That State Executive resolves that the Division will no longer contest the offices for the Series 1 Local Government Areas specified in Resolution 1 in 2020 (of the tabled report), noting that there are now no local government elections to be held in 2020. That State Executive notes that as a consequence of the passing of this motion, the deliberations of all Nomination Review Committees convened for the purposes of clause 21.3.3 following the close of nominations for the Series 1 LGAs need not proceed, there being no purpose to them. That State Executive further notes that as a consequence of the passing of this motion, any candidate deemed to be accepted pursuant to clause 21.3.4(3) is no longer a candidate for office in the Series 1 LGAs. That the report tabled be provided to the Local Government Oversight Committee and the Committee be requested to provide advice to State Executive on contesting the 2021 local government elections.

CARRIED

**Party Affairs –
General Members:**

A report on new applications from people applying as general members and on those new members who had applied to join branches but were not accepted, was tabled (pages 47-48) and discussed.



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met at 7pm on **Thursday 12 November 2020** and adopted recommendations for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendation from the Local Government Oversight Committee Meeting held on Thursday 12 November 2020.

Recommendation for Current Branch Allocations and Transfer of Branches between LGCs:

That under Clause 7.4.2(3), the Glenorie Branch, West Pennant Hills Branch and Round Corner Branch (Cherrybrook being its prior name) are transferred into The Hills Local Government Conference.

Background:

Clause 7.4.2(3) enables a Local Branch to transfer from one LGC to another after a motion to that effect is carried by the LGOC after consulting with the Local Branch and the LGC to which it wishes to transfer.

As part of the consultation process which included such interactions as branch meetings, email correspondence, via telephone and advice received from the LGC, the overwhelming consensus amongst the Glenorie Branch, West Pennant Hills Branch and Round Corner Branch is to transfer into The Hills Local Government Conference.

The Hills Local Government Conference has formally objected to these branch transfers.

Consultation and Notifications with the Glenorie Branch occurred on 13 September 2020 (Branch Meeting), 23 September 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with the West Pennant Hills Branch occurred on 15 September 2020 (Branch Meeting), 2 October 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with the Round Corner Branch (Cherrybrook being its prior name) occurred on 15 September 2020 (Branch Meeting), 29 September 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with The Hills LGC occurred between 18 October 2020 and until 6pm, 12 November 2020.

Glenorie Branch and Round Corner Branch (Cherrybrook being its prior name) were previously allocated in The Hills LGC and remain aggrieved that both were transferred out of The Hills LGC by a previous decision of State Executive without any notification or consultation.

The West Pennant Hills Branch asserts that the suburb of West Pennant Hills is located within The Hills LGA and seeks a remedy.

Report prepared by:

Peter Poulos, Chair, Local Government Oversight Committee

15 November 2020

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 20 November 2020
RE: Transfer of Branches to New LGC

TRANSFER OF BRANCHES TO A NEW LOCAL GOVERNMENT CONFERENCE

Clause 7.4.2 of the Constitution states:

- (1)
- (2)
- (3) *A Local Branch may also transfer from one LGC to another after:*
 - (a) *a motion to that effect is carried by the Local Government Oversight Committee, after consulting with the Local Branch and the LGC to which it wishes to transfer; and*
 - (b) *that motion is ratified by State Executive by a motion of 60% of those present and voting.*

The operation of this clause 7.4.2(3) is to cease from close of business on 31 December 2020.

The Local Government Oversight Committee met on Thursday 12 November 2020 and considered applications from three branches to transfer from their existing LGC to The Hills LGC. The three branches are Glenorie Branch, West Pennant Hills Branch and Round Corner Branch (formerly Cherrybrook Branch).

The Local Government Oversight Committee advised that the Committee consulted with the relevant branches through branch meetings, email correspondence and telephone, noting that the overwhelming consensus was that each of the branches wished to transfer to The Hills LGC. The Committee also pointed out that The Hills LGC formally objected to these branch transfers.

The Committee advised that consultation with Glenorie Branch occurred on 13 September 2020 (branch meeting), 23 September 2020, 25 October 2020 and 8 November 2020, with West Pennant Hills Branch on 15 September 2020 (branch meeting), 2 October 2020, 25 October 2020 and 8 November 2020 and with Round Corner Branch on 15 September 2020 (branch meeting), 29 September 2020, 25 October 2020 and 8 November 2020. The Committee also advised that consultation with The Hills LGC occurred between 18 October 2020 and until 6pm, 12 November 2020.

The Committee noted that Glenorie Branch and Round Corner Branch were previously allocated in The Hills LGC and remain aggrieved that both were transferred out of The Hills LGC by a previous decision of State Executive without any notification or consultation whilst the West Pennant Hills Branch asserts that the suburb of West Pennant Hills is located within The Hills Local Government Area and seeks a remedy.

A copy of the report from the Local Government Oversight Committee is attached at **Annexure A**.

The Local Government Oversight Committee is recommending that State Executive resolve, pursuant to clause 7.4.2(3)b) of the Constitution that, Glenorie Branch, West Pennant Hills Branch and Round Corner Branch are transferred into The Hills LGC.

A motion to this effect follows:

Motion 1: *State Executive RESOLVES, pursuant to clause 7.4.2(3)(b) of the Constitution, by a motion of 60% of those present and voting, that that Glenorie Branch, West Pennant Hills Branch and Round Corner Branch be transferred into The Hills LGC.*

State Executive is asked to indicate a position in relation to the proposed motion by email to be received by Secretariat mail server. **by 12:00pm, Monday, 23 November 2020.** Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20201120 - Branch Transfer to LGC

Name	Motions	1	Method/Note
	Able to Vote	Y/N/A	
Philip Ruddock	Yes	Y	Email
Penny George	Yes	N	Email
Christopher Rath	Yes	Y	Email
Tobias Lehmann	Yes	N	Email
Aileen MacDonald	Yes	Y	Email
Mary-Lou Jarvis	Yes	Y	Email
James Wallace	Yes	Y	Email
Matthew Camenzuli	Yes	Y	Email
Matthew Hana	Yes	Y	Email
Chantelle Fornari-Orsmond	Yes	N	Email
Martin Zaiter	Yes	N	Email
Sally Betts	Yes	Y	Email
Zac Miles	Yes	N	Text (SM)
Michelle Byrne	Yes	N	Email
Christian Ellis	Yes	Y	Text (CS)
Jacqui Munro	Yes	Y	Email
Michelle Bishop	Yes	Y	Email
Damien Jones	Yes	N	Email
Patrick Doherty	Yes	Y	Email
Mark Croxford	Yes	Y	Email
Anna Chandler	Yes	N	Text (SM)
Jemma Tribe	Yes	N	Email
Alexander Dore	Yes	Y	Email
Michael Hughes	Yes	Y	Email
Hugo Robinson	Yes	Y	Email
Alex Hawke	Yes	N	Email
Mark Coure	Yes	Y	Email
Steven Issa	Yes	N	Email
Teena McQueen	No	N/A	
	Total	17	
	Voting Pool	28	
	Percentage Requirement	60%	
	Result	Carried	



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met on Monday 23 August 2021 and adopted the following recommendation for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendation from the Local Government Oversight Committee Meeting held on Monday 23 August 2021 given the current COVID-19 pandemic and various "lockdowns" have produced an unprecedented situation in NSW.

Recommendation to Contest in Local Government Areas with LGCs:

That the Party contests in the LGAs of **The Hills**, Blacktown, and Cumberland, and **in accordance with 21.6.4 of the Constitution**, the State Executive **commences consultation with The Hills, Blacktown, and Cumberland LGCs with respect to a truncated process for candidate selection** given the State Executive has previously decided that there is insufficient time for the selection of candidates as otherwise constitutionally provided.

Report prepared by:

Peter Poulos

Chair, Local Government Oversight Committee
25 August 2021

LGOC August Recommendation to State Executive and the State Director

1 message

Peter Poulos

Wed, Aug 25, 2021 at 9:52 AM

To: President

Cc: Chris Stone

Perrottet

Simon McInnes

Dallas J McInerney

, Charles

Good morning Mr President,

I hope that you are well and keeping safe.

I have attached for your consideration a recommendation **unanimously adopted by the Local Government Oversight Committee** on Monday 23 August 2021.

Once again, I reiterate my appreciation to you and the State Executive together with the State Director for methodically and patiently working through all the challenges associated with the upcoming Local Government Election.

As always, I would be happy to respond to any questions that you or the State Director might have and I invite the State Executive to favourably consider our recommendation at its next meeting.

Kind regards

Peter Poulos

Chair-Local Government Oversight Committee

 **LGOC Recommendations to SE 25 August 2021.pdf**

25K

BODY: State Executive

DATE: 27 August 2021

SUBJECT: Local Government Matters

REPORT OF: State President

Purpose: To update State Executive on recommendations from the Local Government Oversight Committee.

Recommendation(s): Nil.

1. Background

- 1.1** Attached at **Appendix A** is a report by the Local Government Oversight Committee resulting from their meeting on 23 August 2021.
- 1.2** The report deals with contesting the 2021 Local Government elections in the local government areas of **The Hills**, Blacktown and Cumberland and commencing a consultation process under clause 21.6.4 of the Constitution with respect to a truncated selection process in those areas.
- 1.3** This report was only provided to the Secretariat mid-morning on 25 August 2021. As such, at the time of reporting, the Secretariat has not had the opportunity to adequately consider the recommendations or make any reasonable determination as to whether the Division is sufficiently resourced to implement them.

Philip Ruddock AO
State President

.....

Issue/Matter

Discussion/Resolution

- 4) Christine Kay
- 5) Hugh Eriksson
- 6) Sam Ngai
- 7) Jessica Keen

- Directors (Rural/Regional) –
 - 1) Cameron Walters
 - 2) Alice Glachan
 - 3) James Owen
 - 4) Julia Ham
 - 5) Kevin Schreiber

CARRIED

Consultation with The Hills, Blacktown and Cumberland LGAs

It was noted that at its meeting on 27 August 2021, State Executive passed a motion “that the Division contest and consult in The Hills, Cumberland and Blacktown local government areas.”

It was further noted that the papers tabled included a report from the State Director advising that the Division had consulted with the relevant LGCs. The report noted that the State Director advised that it is now less than 2 weeks before nominations with the NSW Electoral Commission open for the postponed 2021 local government elections, that there is not enough time, nor does the Secretariat have the resources, to open nominations in any other local government areas where it hasn’t already called for nominations, including Blacktown and Cumberland.

In the report the State Director noted that State Executive has already called for nominations for The Hills, nomination reviews have been conducted, the preliminary roll has been distributed and challenges have been received. In the report he advised that all that is required is that those challenges be ruled upon and a selection committee held, pursuant to the truncated selection process already adopted by State Executive, and for State Executive to then endorse those candidates selected.

In the report the State Director recommended that State Executive resolve to set a selection committee meeting date range for The Hills selection to be held between 4 October 2021 and 18 October 2021 (inclusive) and that State Executive resolve not to contest any local governments areas that it has previously contested, but has not yet resolved to contest or has not yet opened nominations in, noting that this will provide clarity to members in those local government areas so that they can consider whether they wish to run as independent candidates.

Motion: To defer consideration of the State Director’s recommendations and refer them to the Local Government Oversight Committee for its consideration and recommendation, such recommendation to be supplied by 29 September 2021.

CARRIED

Selection of Unwinnable Position – Ward 1, Newcastle

In the tabled report it was noted that by electronic ballot issued 14 September 2021, a motion to select Aaron Buman as the Division’s



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met on Monday 27 September 2021 and adopted the following recommendations for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendations from the Local Government Oversight Committee Meeting held on Monday 27 September 2021.

Recommendation to finalise Local Government Matters

In relation to the motions referred by the State Executive on Friday 24 September 2021, LGOC recognises that there is insufficient time and accepts that the Secretariat does not have the resources to open nominations in any other local government area where it has not called for nominations, and therefore proposes that any ongoing and outstanding local government matter yet to be resolved and relevant to the 2021 NSW Local Government Election, including the endorsement of candidates, be finalised by Monday 18 October 2021 under Clause 21.6.4, to further assist the Secretariat and the State Executive to advance the Federal selection processes and required administration as a significant priority.

Recommendation for Unresolved Local Government Areas

That LGOC at its next meeting on Monday 11 October 2021 consider and make final recommendations to State Executive for all local government areas yet to be considered or resolved such as Blacktown, Cumberland, Fairfield, Inner West, Shellharbour, Strathfield, Tamworth and Wollondilly.

Recommendation to Select Candidates in The Hills LGA

That State Executive apply Clause 21.6.4 for the selection of candidates in The Hills LGA and endorse the following group of candidates in each ward (13 in total) as set out in the order below:

Mayor: Peter Gangemi

East Ward:

1. Alan Haseldon
2. Jerome Cox
3. Raylee Hodges

North Ward:

1. Peter Gangemi
2. Virginia Ellis
3. Mitchell Blue
4. Rory O'Connor

Central Ward:

1. Jessica Brazier
2. Mark Hodges
3. Jagmohan Dhaliwal

West Ward:

1. Rosemary Boneham
2. Michael Thomas
3. Tony Maroun

Recommendation for Urgent Endorsement Procedures in Areas without an LGC

That where there exists a local government area with no functioning LGC and subject to the following:

- i) A Member of Parliament, Patron Senator or Provincial MLC with oversight or a direct interest with a particular LGA endorses a group of candidates to contest the 2021 NSW Local Government Election; and
- ii) All nomination forms and the statutory declaration is completed by each candidate proposed on the ticket and the requirement to conduct a nomination review by the State Director is dispensed with; and
- iii) LGOC supports contesting the local government area and recommends a group of candidates, for the consideration of the State Executive to determine under Clause 21.6.4.

Recommendation to Select Candidates in Burwood LGA

That the Burwood LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in the Burwood LGA and endorse the following group of candidates (4 in total) as set out in the order below:

1. Hugo Robinson (Winnable)
2. David Hull and Mayoral Candidate (Non-Winnable)
3. Laura Middleton (Non-Winnable)
4. John Paul Baladi (Non-Winnable)

Recommendation to Select Candidates in Wagga Wagga LGA

That the Wagga Wagga LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in the Wagga Wagga LGA and endorse the following group of candidates (7 in total) as set out in the order below:

1. Robert Sinclair
2. Simon Paton
3. Rosina Gordon
4. Stephen Vieira
5. Daniel Vieira
6. Robin Dennis
7. Cathy Dennis

Recommendation to Select Candidates in Bayside LGA

[The Chair recused himself during the consideration of this matter]

That the Bayside LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in Bayside LGA and endorse the following group of candidates in each ward (15 in total) as set out in the order below:

Ward 1	Ward 2	Ward 3	Ward 4	Ward 5
1. Nicholas Mickovski*	1. Michael Nagi*	1. Ron Bezic*	1. Tina Ayyad*	1. Vicki Poulos*
2. Prem Singh	2. Ali Jaafar	2. Anna Lazarou	2. Sally Reslan	2. Nada Abdallah
3. Vinko Bezic	3. Hussein Saab	3. David Damato	3. Yassmin Hakim	3. Vera Mickovska

*Deemed Winnable Position

Report prepared by:

Charles Perrottet

Deputy Chair, Local Government Oversight Committee

28 September 2021



LEGISLATIVE COUNCIL
The Hon. Matthew Mason-Cox MLC

27 September 2021

The Hon. Peter Polous MLC
Chairman
Local Government Oversight Committee
Liberal Party of Australia (NSW Division)

Dear Peter,

RE: Wagga Wagga City Council – Liberal Endorsement

I write to you in my capacity as the Southern Country Provincial Member of the Legislative Council to seek the opening of nominations for the Local Government Area of Wagga Wagga.

A Liberal ticket in the Wagga Wagga City council elections on 4 December 2021 will provide the opportunity for local Liberals including Rob Sinclair, Simon Paton, Rosina Gordon, Daniel Vieira, Robin Dennis, Cathy Dennis and Steve Vieira to represent our party thereby increasing the Liberal presence in regional NSW. This will be important in the lead up to the State election in March 2023 when a decision will need to be made in respect of selecting candidates in the seat of Wagga Wagga currently held by independent member Joe McGirr.

I am confident that the above team of dedicated, committed Liberals will carry our brand proudly and increase our representation in regional NSW. I also understand that there is strong, widespread local support for running a Liberal ticket for Wagga Wagga City Council.

Given that there is no functioning LGC in place in Wagga and the short time frame until the next local government election, I am seeking urgent action from the Local Government Oversight Committee to expedite the endorsement process for Wagga.

Should the committee require further information, please do not hesitate to contact me directly on 0409 228 886.

Yours sincerely

The Hon. Matthew Mason-Cox MLC
Southern Country Provincial MLC
President of the NSW Legislative Council

CC: Mr Charles Perrottet
Deputy Chair, Local Government Oversight Committee

LGOC September Recommendations to State Executive and the State Director

1 message

Date: Sep 29, 2021, 10:19

From:

To:

Cc:

Subject: LGOC September Recommendations to State Executive and the State Director

Dear Philip,

I have attached for your consideration recommendations adopted by the Local Government Oversight Committee (LGOC) on Monday 27 September 2021 which provide both a view and a way forward to address the resourcing constraints of the Secretariat and the motions referred to our Committee by State Executive on Friday 24 September 2021.

LGOC is mindful that there is now less than two weeks before nominations open with the NSW Electoral Commission. There is now insufficient time for the Secretariat to conduct its standard procedures and processes for any outstanding local government matter or local government area yet to be resolved.

LGOC also recognises the NSW Division and the Secretariat must now focus more time and resources on its preparations for the upcoming Federal Election in support of the re-election of the Prime Minister and the Government.

However, it is just as important that the Liberal Party does not vacate the field in areas where we have previously contested in local government elections or where there is a benefit to establish some local representation.

Our supporters deserve this and there is much more to be gained by contesting in more local government areas and not less.

You will note that a number of Members of Parliament are beginning to support this proposition and it is the view of the Local Government Oversight Committee that on this occasion due to these special circumstances, State Executive favourably considers our recommendations as a matter of urgency.


I will also shortly share a link in Dropbox with the State Director and yourself of each nominee who has been proposed to contest in a number of these local government areas.

Kind regards

Charles Perrottet

Deputy Chair-Local Government Oversight Committee

3 attachments

 **LGOC Recommendations to SE 28 September 2021.pdf**
100K

 **Ltr-PPoulos-WaggaCouncil-27.9.21 (1).pdf**
492K

 **Burwood_Council_Liberal_Ticket_Endorsement_Letter.pdf**
773K

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS

FROM: State President

DATE: 15 October 2021

RE: Local Government Elections—selection of candidates for unwinnable positions where there are multiple nominations (Canterbury-Bankstown), endorsement of candidates (Canterbury-Bankstown, Ryde, Camden & The Hills), waiver to run in Port Stephens. Federal Elections – close nominations in Whitlam.

SELECTION OF CANDIDATES FOR UNWINNABLE POSITIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*
 - (b) *vacancies in elected office for local government at a general election or casual vacancies,*

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

- (2) *In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.*

There have been multiple nominations for unwinnable position 2 in the Roselands Ward of the Canterbury-Bankstown LGA. They are MD Anamul Haque and Joseph Tannous. Please note this is not the same Joseph Tannous that used to be a member of State Executive. There is insufficient time for normal selection processes to be followed. Consultation with the relevant LGC and the lead candidate, Sazeda Akter, has occurred and the preference is for State Executive to select Joseph Tannous. A motion to this effect follows:

MOTION 1: *Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Canterbury-Bankstown that:*

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 2 in Roselands Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 2 in Roselands Ward and select Joseph Tannous as the candidate to contest this position.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

On 3 June 2021 State Executive adopted, via electronic ballot, a truncated nomination and selection process for local government areas (LGAs) that it had already resolved to contest. Part of this amended process was that the nomination review process would effectively be conducted by the State Director or his nominee and that for single nominations, for both winnable and unwinnable positions, the endorsement proceed straight to State Executive for consideration. The truncated process for contested positions set out that the selection would be conducted via an online ballot and that once a result for this was known, that the endorsement for the full ticket would come before State Executive.

The State Director has now completed the nomination review process and online selection process for Canterbury-Bankstown LGA and has determined that all of the nominees for these LGAs are fit and proper persons for presentation to State Executive for endorsement. As such the State Director is now in a position to put forward for State Executive's consideration the following members for endorsement including a motion to this effect following:

MOTION 2: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motion 1 above carrying, State Executive RESOLVES to endorse the following members as the Division's candidates for the 2021 Canterbury-Bankstown local government elections in the following positions and further RESOLVES, pursuant to clause 21.1.2(1)(b) of the Constitution, to close nominations for unwinnable positions in these 2021 Canterbury-Bankstown local government elections at 5:00pm on 15 October 2021:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Philip Madirazza	Yes
	2	Georgios Lambropoulos	No
	3	Yali Shi	No
Revesby	1	Charbel Abouraad	Yes
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – RYDE CITY

State Executive has previously resolved to endorse a number of candidates to contest the 2021 local government elections in the Ryde City LGA. Unfortunately, one of the candidates, George Tsingolis, has withdrawn his nomination for unwinnable position 4 in East Ward.

The LGC and the lead candidate, Jordan Lane, have put forward another candidate, Christopher Galloway, to contest this position. A nomination review has been conducted on Mr Galloway and the State Director has determined he is a fit and proper person for State Executive's consideration for endorsement. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 3: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Ryde City that:

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 4 in East Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 4 in East Ward and select and endorse Christopher Galloway as the candidate to contest this position.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CAMDEN

State Executive has previously resolved to endorse a number of candidates to contest the 2021 local government elections in the Camden LGA. Unfortunately, one of the candidates, Sarah von Wartburg, has withdrawn her nomination for unwinnable position 3 in South Ward.

The LGC and the lead candidate, Russell Zammit, have put forward another candidate, Anna Younan, to contest position 2 in South Ward, with John Smith, who was previously endorsed for this position, now moving to position 3 in South Ward. A nomination review has been conducted on Ms Younan and the State Director has determined she is a fit and proper person for State Executive’s consideration for endorsement. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 4: *Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Camden that:*

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 3 in South Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 3 in South Ward and select and endorse Anna Younan as the candidate to contest position 2 in South Ward and John Smith as the candidate to contest position 3 in South Ward.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – THE HILLS

The State President has been advised that there is now an agreed position with respect to selecting and endorsing candidates to contest the 2021 local government elections in The Hills local government area. The proposed ticket is as follows:

Ward	Position	Nominee
N/A	Mayor	Peter Gangemi
Central Ward	1	Jessica Brazier
Central Ward	2	Mark Hodges
Central Ward	3	Jagmohan Dhaliwal
East Ward	1	Jerome Cox
East Ward	2	Reena Jethi
East Ward	3	Raylee Hodges
North Ward	1	Peter Gangemi
North Ward	2	Virginia Ellis
North Ward	3	Mitchell Blue
North Ward	4	Rory O’Connor
West Ward	1	Rosemary Boneham
West Ward	2	Frank De Masi
West Ward	3	Terisa Murray

It should be noted that proposed candidates Raylee Hodges and Rory O’Conner above have not been

vetted. It should also be noted that other candidates listed above, who did not originally nominate for these positions, will need to confirm in writing with the State Director, that they happy for their nominations to be amended to include the ward and/or position listed above.

Should State Executive agree to this proposed ticket then a motion to this effect follows:

MOTION 5: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of The Hills that:

- (3) there is now insufficient time remaining prior to the 2021 local government elections, to select candidates for this local government area as provided otherwise under the Constitution; and
- (4) further resolves to dispense with the selection process with respect to the 2021 local government elections for The Hills local government area and select and endorse the following candidates

Ward	Position	Nominee
N/A	Mayor	Peter Gangemi
Central Ward	1	Jessica Brazier
Central Ward	2	Mark Hodges
Central Ward	3	Jagmohan Dhaliwal
East Ward	1	Jerome Cox
East Ward	2	Reena Jethi
East Ward	3	Raylee Hodges
North Ward	1	Peter Gangemi
North Ward	2	Virginia Ellis
North Ward	3	Mitchell Blue
North Ward	4	Rory O'Connor
West Ward	1	Rosemary Boneham
West Ward	2	Frank De Masi
West Ward	3	Terisa Murray

WAIVER REQUEST – GILBERT WHITTON

The State Director has received a request from Gilbert Whitton, seeking a waiver from State Executive so that he may run as an independent candidate in the 2021 Port Stephens local government elections in East Ward. This request is not supported by the Port Stephens LGC. Attached at **Annexure A** is a copy of an email from Mr Whitton requesting the waiver and from the LGC not supporting the waiver request

Clause 3.11.1, row 2 of the Constitution sets that a person’s membership of the Division automatically terminates:

If a Member who is not a candidate endorsed by the Organisation for election to an office without the prior written permission of State Executive:

- (1) *nominates or publicly announces or causes or permits to be announced that Member’s proposed nomination as a candidate for election to that office when there is a candidate endorsed by the Organisation for election to that office or State Executive has resolved to call for nominations for endorsement by the Organisation for election to that office; or*
- (2) *claims to be an endorsed candidate of the Organisation for election to any office.*

Should State Executive be willing to grant a waiver to Mr Whitton to nominate as independent in the upcoming Port Stephens local government elections, then a motion to this effect follows:

MOTION 6: Pursuant to clause 3.11.1 (row 2) of the Constitution, State Executive RESOLVES to grant permission to Gilbert Whitton so that he may nominate to run as an independent candidate in the 2021 Port Stephens local government elections.

CLOSING NOMINATIONS IN THE FEDERAL DIVISION OF WHITLAM

By electronic ballot carried on 3 May 2021, State Executive resolved to contest the next Federal election in the electoral division of Whitlam, with nominations opening on 3 May 2021 and closing on the recommendation of the State Director.

The State Director has now received a nomination for selection from a suitably qualified person to contest this electoral division on behalf of the Party. The State Director is, therefore, recommending that nominations close for Whitlam as at midday on Tuesday, 19 October 2021 and, consistent with other the eligibility dates for other electoral divisions, that the eligibility date be 6:00pm on Friday, 21 May 2021.

Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 7: Pursuant to clause 21.1.2(1)(b) and (c) of the Constitution, State Executive RESOLVES, with respect to the next Federal election for the electoral division of Whitlam, that the close of nominations date be 12:00pm on Tuesday, 19 October 2021 and that the eligibility date be 6:00pm on Friday, 21 May 2021.

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by _____ by **9:00am, Monday, 18 October 2021**. Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20211015 - Local Govt, Federal Elections

Name	Motions	1	2	3	4	5	6	7	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	Y	Y	Y	A	Y	Y	Email
Penny George	Yes	Y	Y	Y	Y	N	N	Y	Email
Christopher Rath	Yes	N	N	Y	Y	Y	N	Y	Email
Tobias Lehmann	Yes	Y	Y	Y	Y	N	N	Y	Text (SM)
Aileen MacDonald	Yes	N	N	Y	Y	Y	N	Y	Email
Mary-Lou Jarvis	Yes	N	N	Y	Y	Y	N	Y	Email
James Wallace	Yes	N		Y	Y	Y	N	Y	Email
Matthew Camenzuli	Yes	N	N	Y	Y	Y	N	Y	Email
Matthew Hana	Yes	N	N	Y	Y	Y	N	Y	Email
Chantelle Fornari-Orsmond	Yes	Y	Y	Y	Y	N	N	Y	Email
Martin Zaiter	Yes	N	N	Y	Y	Y	N	Y	Email
Sally Betts	Yes	N	N	Y	Y	Y	N	Y	Email
Zac Miles	Yes	Y	Y	Y	Y	N	N	Y	WhatsApp (SM)
Michelle Byrne	Yes	Y	Y	Y	Y	N	Y	Y	Email
Christian Ellis	Yes	N	N	Y	Y	A	N	Y	Email
Jacqui Munro	Yes	N		Y	Y	Y	N	Y	Email
Michelle Bishop	Yes	N	N	Y	Y	Y	N	Y	Email
Damien Jones	Yes	Y	Y	Y	Y	N	N	Y	Email
Patrick Doherty	Yes	N	N	Y	Y	Y	N		Email
Mark Croxford	Yes	N	N	Y	Y	Y	N	Y	Email
Anna Chandler	Yes								
Jemma Tribe	Yes	Y	Y	Y	Y	N	N	Y	Email
Alexander Dore	Yes	N	N	Y	Y	Y	N	Y	Email
Michael Hughes	Yes	N	N	Y	Y	Y	N	Y	Email
Deyi Wu	Yes	N	N	Y	Y	Y	N	Y	Email
Alex Hawke	Yes	Y	Y	Y	Y	N	N	Y	Email
Mark Coure	Yes	N	N	Y	Y	Y	N	Y	Email
Steven Issa	Yes	N	N	Y	Y	Y	N	Y	Email
Charlie Taylor	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Total - Yes	9	9	27	27	17	2	26	
	Total - No	18	16	0	0	8	25	0	
	Total - Abstain	0	0	0	0	2	0	0	
	Total - No Response	1	3	1	1	1	1	2	
	Voting Pool	28	28	28	28	26	28	28	
	Percentage Requirement	50%	50%	50%	50%	50%	50%	50%	
	Result	Lost	Lost	Carried	Carried	Carried	Lost	Carried	

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 29 October 2021
RE: Close nominations in Willoughby, waiver requests to run as independents in the local government elections, selecting and endorsing a local government ticket for Canterbury-Bankstown.

WILLOUGHBY STATE BY-ELECTION

By electronic ballot adopted 18 October 2021, State Executive resolved, because of the pending resignation of the Hon Gladys Berejiklian MP, to open nominations in the State electoral district of Willoughby and close upon the recommendation of the State Director.

The State Director is now recommending that nominations close at 5:00pm on Tuesday, 2 November 2021. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 1: Pursuant to clause 21.1.2(1)(b) and (c) of the Constitution, State Executive RESOLVES to that the close of nominations and eligibility date for any by-election in the State electoral district of Willoughby be 5:00pm on Tuesday, 2 November 2021.

REQUEST TO RUN AS AN INDEPENDENT– DARRYN CAPES-DAVIS

The State Director has received a request from Darryn Capes-Davis requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Mr Capes-Davis advises:

"Good afternoon Mr President,

As per constitutional requirements of the Liberal Party of Australia, New South Wales Division, I request written permission from State Executive to run as an Independent in North Rocks Ward for City of Parramatta Local Government Elections.

Although I have nominated for as a Liberal and understand that deliberations are ongoing at this 11th hour, I make this request now to provide time for State Executive to respond so I have confidence in nominating as an Independent Candidate prior to close of nominations next Wed 3rd Nov, 12pm.

Please can you let me know if you need anything further from myself to facilitate and finalise this request.”

Should State Executive be inclined to grant Mr Capes-Davis’ request, a motion to this effect follows.

MOTION 2: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Mr Darryn Capes-Davis to run as an independent candidate in the 2021 Parramatta local government elections*

REQUEST TO RUN AS AN INDEPENDENT– ROBERT MASHFORD

The State Director has received a request from Robert Mashford requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member’s membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Mr Mashford advises:

“Good evening Director,

As per constitutional requirements of the The Liberal Party of Australia, New South Wales Division, I request written permission from State Executive to run as an Independent candidate for North Rocks Ward in City of Parramatta Local Government Election on 4th December 2021.

I make this request now to provide time for State Executive to respond so I have confidence in nominating as an Independent Candidate prior to close of nominations next Wed 3rd Nov, 12pm.

Please can you let me know if you need anything further from myself to facilitate and finalise this request.”

Should State Executive be inclined to grant Mr Mashford’s request, a motion to this effect follows.

MOTION 3: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Mr Darryn Capes-Davis to run as an independent candidate in the 2021 Parramatta local government elections*

REQUEST TO RUN AS AN INDEPENDENT– MICHELLE BYRNE

The State Director has received a request from Clr Michelle Byrne requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member’s membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections and has endorsed candidates.

Clr Byrne advises:

“Dear State Director and Party President,

I am writing to officially request permission to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021.

It is unfortunate that I find myself in this position. As the current sitting Mayor, I have been deliberately denied the opportunity to put forward my case to 600 local Party members as to why I should again be the endorsed Liberal Mayoral candidate. Hard working local Party members have also been disgracefully denied the opportunity to determine for themselves who is best place to represent them at the next council election.

In good faith, I and other councillors submitted nomination forms. We did this only to find out we had been denied the opportunity to put our case to local Party members - with such preselection being deliberately delayed for months on end and despite a recommendation from the State Director to the State Executive meeting on 24 September 2021 to proceed with a preselection of local Party members to be held before 18 October 2021.

The end result has been that local Party members have been bypassed so that un-named people can cherry pick who they want as candidates, candidates which include individuals who never actually nominated for positions "assigned" by State Executive or at all.

What has taken place is nothing short of disgraceful and was entirely preventable and has also damaged the Liberal brand within the local community.

As one of, if not the best run Councils in NSW, and the only Council to have had a swing to the Party in 2017, I am at a loss as to why most sitting councillors would be wiped out, including the first popularly elected female Mayor.

I have been contacted by many Party members and community members who are outraged that I and my current team of councillors would be treated in this manner and replaced by people who are largely unknown to the community and who have not been subject to scrutiny by local Party members.

The argument that the Party was out of time to hold a preselection at the time the State Executive ballot opened on 15 October 2021 is farcical given that under the Constitution only 7 days' notice is required to hold a preselection. Additionally, this period can also be abridged under the Constitution to as little as two days' notice.

For a Party that claims it needs more females in politics and as the current female popularly elected Liberal Mayor, I have never felt less supported as I do right now. I feel that the Party has done a disservice not only to myself but also to women generally within the Party.

As a current Liberal Mayor who has been denied the opportunity of presenting my case to a selection committee of local Party members; it is only fair that I be given the opportunity to run as an independent against the Party - an opportunity that has been given to other non-endorsed Party members such as Councillor Nathan Zamprogno in Hawkesbury - and be allowed to directly put to the Hills Liberal voting community as to why I should remain the Mayor the Hills.

Thank you for considering my request."

Should State Executive be inclined to grant Clr Byrne's request, a motion to this effect follows.

MOTION 4: State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Clr Michelle Byrne to run as an independent candidate in the 2021 The Hills local government elections

REQUEST TO RUN AS AN INDEPENDENT– SAMUEL UNO

The State Executive has received a request from Clr Samuel Uno requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections and has endorsed candidates.

Clr Uno advises:

"Dear Simon and Chris,

Following on from Mayor Michelle Byrne's well articulated email, I too am officially requesting permission to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021.

Both of you know my long standing commitment to our party over the last 20 years of membership, and have an unwavering belief in the core values of our party. Unfortunately the our Party President and State Executive's actions have contradicted one of these core values to deny our grass root members the opportunity to select their own candidates:

"In the separation and distribution of powers as the best protection for the democratic process"

If granted permission I commit to upholding our party's values and will work constructively with the endorsed Liberal Ticket."

Should State Executive be inclined to grant Clr Uno's request, a motion to this effect follows.

MOTION 5: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Clr Samuel Uno to run as an independent candidate in the 2021 The Hills local government elections*

SELECTION OF CANDIDATES FOR UNWINNABLE POSITIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*
 - (b) *vacancies in elected office for local government at a general election or casual vacancies,*

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

- (2) *In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.*

As advised in a previous electronic ballot dated 15 October 2021, there have been multiple nominations for unwinnable position 2 in the Roselands Ward of the Canterbury-Bankstown LGA. They are MD Anamul Haque and Joseph Tannous (not the same Joseph Tannous that used to be a member of State Executive). There is insufficient time for normal selection processes to be followed. Consultation with the relevant LGC and the lead candidate, Sazeda Akter, has occurred and the preference is for State Executive to select Joseph Tannous.

Even though State Executive has previously resolved not select Mr Tannous, the State Director has now been advised that members of State Executive will support the selection of Mr Tannous. A motion to this effect follows:

MOTION 6: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Canterbury-Bankstown that:

- (1) there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 2 in Roselands Ward as provided otherwise under the Constitution; and
- (2) further resolves to dispense with the selection process with respect to the 2021 local government elections for position 2 in Roselands Ward and select Joseph Tannous as the candidate to contest this position.

NON-ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

As noted above, the State Director has been advised that Mr Tannous is an acceptable candidate to be selected at position 2 in Roselands Ward, however, he has been advised that the rest of the ticket for Canterbury-Bankstown, as selected by selectors may not be acceptable.

State Executive had previously considered a ticket of candidates for Canterbury-Bankstown that had been chosen at a Selection Committee meeting, including selecting Mr Tannous themselves, however, the motion considered by electronic ballot dated 15 October 2021 was contingent upon a motion to select Mr Tannous carrying. Because the motion to select Mr Tannous on 15 October 2021 failed, the motion to consider the full ticket on 15 October 2021 immediately became null and void.

As such, if State Executive wishes consider an alternative ticket, it must first select Mr Tannous (carry motion 6 above) and secondly, reject the candidates selected at the Selection Committee meeting. A motion to this effect follows.

MOTION 7: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motion 6 above carrying, State Executive RESOLVES to NOT endorse the following members as the Division's candidates for the 2021 Canterbury-Bankstown local government elections in the following positions:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Philip Madirazza	Yes
	2	Georgios Lambropoulos	No
	3	Yali Shi	No
Revesby	1	Charbel Abouraad	Yes

Ward	Ticket Position	Nominees	Winnable?
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

As noted above, the State Director has been advised that there is a proposed ticket for Canterbury-Bankstown that may be acceptable to members of State Executive. Below is a motion to endorse this ticket, however, please note that this motion is contingent upon both motions 6 and 7 above carrying:

MOTION 8: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motions 6 and 7 above carrying, State Executive RESOLVES to endorse the following members as the Division's candidates for the 2021 Canterbury-Bankstown local government elections in the following positions and further RESOLVES, pursuant to clause 21.1.2(1)(b) of the Constitution, to close nominations for unwinnable positions in these 2021 Canterbury-Bankstown local government elections at 5:00pm on 15 October 2021:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Jessie Nguyen	Yes
	2	Jeff Tran	No
	3	Brendan Chow	No
Revesby	1	Charbel Abouraad	Yes
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by **by 9:00am, Monday, 1 November 2021**. Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20211029 - Close Willoughby, Waivers, Canterbury

Name	Motions	1	2	3	4	5	6	7	8	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	A	A	A	A	Y	Y	Y	Email
Penny George	Yes	Y	Y	Y	Y	Y		N	N	Email
Christopher Rath	Yes	Y	N	N	N	N	Y	Y	Y	Email
Tobias Lehmann	Yes	Y	Y	Y	Y	Y	N	N	N	Text (SM)
Aileen MacDonald	Yes	Y	A	A	A	A	Y	Y	Y	Email
Mary-Lou Jarvis	Yes	Y	N	N		N	Y	Y	Y	Email
James Wallace	Yes	Y	N	N	N	N	N	Y	Y	Email
Matthew Camenzuli	Yes	Y	N	N	N	N	Y	Y	Y	Email
Matthew Hana	Yes	Y	N	N	A	A	A	Y	Y	Email
Chantelle Fornari-Orsmond	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Martin Zaiter	Yes	Y	A	A	N	N	Y	Y	Y	Email
Sally Betts	Yes	Y	N	N	N	N	Y	Y	Y	Email
Zac Miles	Yes	Y	Y	Y	Y	Y	N	N	N	WhatsApp (SM)
Michelle Byrne	Yes	Y	Y	Y	A	Y	Y	N	F	Email
Christian Ellis	Yes	Y	N	N			Y	Y	Y	Email
Jacqui Munro	Yes	Y	N	N	N	N	Y	Y	Y	Email
Michelle Bishop	Yes									
Damien Jones	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Patrick Doherty	Yes	Y	N	N	N	N	Y	Y	Y	Email
Mark Croxford	Yes	Y	A	A	A	A	A	A	A	Email
Anna Chandler	Yes									
Jemma Tribe	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Alexander Dore	Yes	Y	N	N	N	N	Y	Y	Y	Email
Michael Hughes	Yes	Y					Y	Y	Y	Email
Deyi Wu	Yes	Y	N	N	N	N	Y	Y	Y	Email
Alex Hawke	Yes									
Mark Coure	Yes	Y					Y	Y	Y	Email
Steven Issa	Yes	Y	A	A	N	N	Y	Y	Y	Email
Charlie Taylor	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Total - Yes	25	7	7	6	7	16	17	17	
	Total - No	0	11	11	10	11	6	7	6	
	Total - Abstain	0	5	5	5	4	2	1	1	
	Total - No Response	3	5	5	7	6	4	3	3	
	Voting Pool	28	23	23	23	24	26	27	27	
	Percentage Requirement	50%	50%	50%	50%	50%	50%	50%	50%	
	Result	Carried	Lost	Lost	Lost	Lost	Carried	Carried	Carried	

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 1 November 2021
RE: Waiver requests to run as independents in the local government elections, request to cancel endorsement of candidates in The Hills, waiver to contest preselection for Hughes.

REQUEST TO RUN AS AN INDEPENDENT– CR ELIZABETH RUSSO

The State Director has received a request from Cr Elizabeth Russo requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections.

Cr Russo advises:

"Dear State Director and Party President,

Following on from Madame Mayor, Cr. Dr. Michelle Byrne's well-articulated email who's message I echo, I too formally request permission to run as an independent candidate against the endorsed Liberal Party candidates at the upcoming Local Government elections on 4th December 2021 for The Hills Shire.

I sincerely hope for a favourably response in a timely manner."

Should State Executive be inclined to grant Cr Russo's request, a motion to this effect follows.

MOTION 1: State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Cr Elizabeth Russo to run as an independent candidate in the 2021 The Hills local government elections

REQUEST TO RUN AS AN INDEPENDENT– CR BROOKE COLLINS OAM

The State Director has received a request from Cr Brooke Collins OAM requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections.

Cr Collins advises:

"Gentleman,

I can't tell you how saddened I am to be writing this email to you, given the manner in which our preselection process has taken place, however more concerning is, at no time have any of you replied to the various emails sent to your office without even an acknowledgment of our emails and the concerns we have raised, which by the way are extremely serious and concerning given that democratic due process was not afforded the members of our LGC, yet Hornsby was able to conduct a successful preselection in the same time frame as our LGC.

I fully support the Mayor and Deputy Mayor and I too, am officially requesting dispensation to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021."

Should State Executive be inclined to grant Cr Collins's request, a motion to this effect follows.

MOTION 2: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Cr Brooke Collins OAM to run as an independent candidate in the 2021 The Hills local government elections.*

REQUEST TO RUN AS AN INDEPENDENT– MS GEORGINA VALJAK

The State Director has received a request from Ms Georgina Valjak requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Ms Valjak advises:

"Dear Chris,

Further to the below email apologies for the message via Bob Dwyer (thanks Bob) as I had some internet issues yesterday. Confirming that if it transpires that my application for preselection as No1 Liberal Candidate in the North Ricks Ward of City of Parramatta is not successful or alternatively if the Liberal Party Head Office decides not to preselect any candidates for the City of Parramatta Local Government elections on 4 December 2021, I would be most grateful if you could kindly confirm your approval by email that I may nominate and participate as an Independent candidate in an Independent Group of Candidates in the North Rocks Ward on 4 December 2021.

Thank you for your assistance."

Should State Executive be inclined to grant Ms Valjak's request, a motion to this effect follows.

MOTION 3: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Ms Georgina Valjak to run as an independent candidate in the 2021 Parramatta local government elections.*

REQUEST TO CANCEL ENDORSEMENT OF CANDIDATES ENDORSED FOR THE 2021 THE HILLS LOCAL GOVERNMENT ELECTIONS

The Secretary of The Hills LGC has sent to the State President and the State Director minutes, notice and an attendees list for a meeting of the Committee of The Hills LGC that took place on 31 October 2021 at which the following motion was passed:

The Hills LGC Committee requests that State Executive, pursuant to section 21.6.2(1)(A) of the Constitution of the Liberal Party of Australia (NSW Division) cancel the endorsement of Liberal candidates for election to office in the 2021 Hills Shire Council election.

Clause 21.6.2 of the Constitution states:

- (1) *State Executive may cancel any selection or endorsement of a Liberal candidate for election to office in Federal, State or local government, without giving reasons and call for nominations either on its own motion or if:
 - (a) *it is requested to do so by the members or the Committee of the relevant FEC, SEC or LGC or the Committee of the relevant FEB or FEC;*
 - (b) *time or circumstance, in the opinion of State Executive, make it impracticable to hold a meeting of the members or Committee of the relevant FEC, SEC or LGC to consider the matter or the Committee of the relevant FEB; or*
 - (c) *there is no relevant FEC, FEB, SEC, or LGC.**
- (2) *State Executive may cancel a selection or endorsement only if each member of State Executive is given notice in writing that a motion to cancel the selection or endorsement will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in Appendix E.*

Should State Executive be inclined to support the request of The Hills LGC Committee, a motion to this effect follows.

MOTION 4: *State Executive RESOLVES to consider at a future meeting, a motion to cancel the endorsement of Liberal candidates for election to office in the 2021 Hills Shire Council election pursuant to clause 21.6.2(1)(a) of the Constitution, and that with respect to that motion, State Executive follows the procedural fairness provisions in Appendix E.*

ENDORSEMENT OF ADDITIONAL LIBERAL CANDIDATES FOR THE HILLS SHIRE LOCAL GOVERNMENT ELECTIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*

- (b) vacancies in elected office for local government at a general election or casual vacancies,

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

- (2) In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.

Section 308A of the Local Government Act 1993 (NSW) (the Act) provides that:

- (1) This section applies to an election in which there are 2 or more councillors to be elected.
- (2) Two or more candidates duly proposed for nomination for election may, before noon on the nomination day prescribed by the regulations, claim to have their names included in a group on the ballot-papers and in the order specified in the claim. The claim is to be lodged with the returning officer.
- (3) A claim under subsection (2) may also include a request for a group voting square for the group to appear on the ballot-papers to be used in the election concerned, but only if—
- (a) in the case of an area not divided into wards--the number of candidates in the group on the nomination day prescribed by the regulations is at least half the number of candidates to be elected, or
- (b) in the case of an area divided into wards--**there are at least as many candidates in the group** on the nomination day prescribed by the regulations as there are candidates to be elected.

(emphasis added)

In light of public commentary that at least two candidates are said to be considering withdrawing their nominations for the Hills Shire Council, it is proposed that the following additional candidates are added to the Wards at risk, as is allowed for under s308A of the Act, to ensure that, in the circumstance of any candidate withdrawal or failure or inability to lodge their nomination within the requisite timeframe, the Liberal Party will have a complete ticket in each Ward and as such able to run above the line in a Group.

Those candidates who are presently endorsed in the Wards at risk, but have not yet completed their nomination forms as required by the NSW Electoral Commission, must take urgent steps to ensure that their nomination forms are lodged, and documentation provided to the Secretariat, so as to ensure that the Secretariat has sufficient time in which to finalise and formally lodge their nomination.

MOTION 5: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES:

1. That if candidates in the Hills Shire Local Government Area have not submitted their candidate registration with the NSW Electoral Commission by 6.00pm, Tuesday, 2 November 2021 then the State Director will have insufficient time in which to finalise and formally lodge the candidate's nomination. The State Director is to inform all candidates for the Hills Shire Local Government Area of this requirement by 12.00 noon, Tuesday, 2 November 2021; and
2. To dispense with the selection process with respect to the 2021 local government elections for this area and endorse the following additional candidates:

Council	Ward	Ticket Position	Nominees	Winnable?
The Hills Shire Council	West	4	Mike Thomas	N
	West	5	Jill Dyball	N
	East	4	Alan Haselden	N

In the event that the earlier endorsed candidates do not complete the requisite nomination or registration forms by the above-stipulated deadline, then the additional candidates would move up the ticket.

WAIVER REQUEST – MS JENNY WARE

The State Director has received a request from Ms Jenny Ware who wishes to nominate as a candidate for preselection for Hughes at the next federal election.

Ms Ware was accepted into the Gymea Yowie Bay Branch at its meeting on 31 May 2021. This means that she will not have been a continuous financial member for 6 months until 30 November 2021 and, therefore, does not currently meet the minimum membership requirements to be eligible to nominate. However, State Executive can waive this requirement if it considers there are exceptional circumstances for doing so. Clause 21.2.1 of the Constitution stipulates that:

- (1) *A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:*
 - (a) *is a financial member of the Organisation; and*
 - (b) *has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations, otherwise the nomination is of no effect.*

- (2) *Despite subclause 21.2.1(1) if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in subclause 21.2.1(1)(b) with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.*

Nominations to be a Liberal endorsed candidate for Hughes opened at 9:00am on Monday, 1 November 2021. Ms Ware has sent the State Director a letter, which is included at **Annexure A**.

Should State Executive be inclined to grant Ms Ware's request, a motion to this effect follows.

MOTION 6: *State Executive RESOLVES by a motion of 60%, that exceptional circumstances exist justifying a waiver of the 6-month membership requirement in clause 21.2.1(1) of the Constitution with respect to the nomination of Ms Jenny Ware for selection as a Liberal candidate for Hughes at the next federal election.*

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by _____ by **10:00am, Tuesday 2 November 2021**. Time to be according to the Secretariat mail server.

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 20 November 2020
RE: Transfer of Branches to New LGC

TRANSFER OF BRANCHES TO A NEW LOCAL GOVERNMENT CONFERENCE

Clause 7.4.2 of the Constitution states:

(1)

(2)

(3) *A Local Branch may also transfer from one LGC to another after:*

(a) a motion to that effect is carried by the Local Government Oversight Committee, after consulting with the Local Branch and the LGC to which it wishes to transfer; and

(b) that motion is ratified by State Executive by a motion of 60% of those present and voting.

The operation of this clause 7.4.2(3) is to cease from close of business on 31 December 2020.

The Local Government Oversight Committee met on Thursday 12 November 2020 and considered applications from three branches to transfer from their existing LGC to The Hills LGC. The three branches are Glenorie Branch, West Pennant Hills Branch and Round Corner Branch (formerly Cherrybrook Branch).

The Local Government Oversight Committee advised that the Committee consulted with the relevant branches through branch meetings, email correspondence and telephone, noting that the overwhelming consensus was that each of the branches wished to transfer to The Hills LGC. The Committee also pointed out that The Hills LGC formally objected to these branch transfers.

The Committee advised that consultation with Glenorie Branch occurred on 13 September 2020 (branch meeting), 23 September 2020, 25 October 2020 and 8 November 2020, with West Pennant Hills Branch on 15 September 2020 (branch meeting), 2 October 2020, 25 October 2020 and 8 November 2020 and with Round Corner Branch on 15 September 2020 (branch meeting), 29 September 2020, 25 October 2020 and 8 November 2020. The Committee also advised that consultation with The Hills LGC occurred between 18 October 2020 and until 6pm, 12 November 2020.

The Committee noted that Glenorie Branch and Round Corner Branch were previously allocated in The Hills LGC and remain aggrieved that both were transferred out of The Hills LGC by a previous decision of State Executive without any notification or consultation whilst the West Pennant Hills Branch asserts that the suburb of West Pennant Hills is located within The Hills Local Government Area and seeks a remedy.

A copy of the report from the Local Government Oversight Committee is attached at **Annexure A**.

The Local Government Oversight Committee is recommending that State Executive resolve, pursuant to clause 7.4.2(3)b) of the Constitution that, Glenorie Branch, West Pennant Hills Branch and Round Corner Branch are transferred into The Hills LGC.

A motion to this effect follows:

Motion 1: *State Executive RESOLVES, pursuant to clause 7.4.2(3)(b) of the Constitution, by a motion of 60% of those present and voting, that that Glenorie Branch, West Pennant Hills Branch and Round Corner Branch be transferred into The Hills LGC.*

State Executive is asked to indicate a position in relation to the proposed motion by email to be received by
by **12:00pm, Monday, 23 November 2020**. Time to be according to the
Secretariat mail server.



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met at 7pm on Thursday 12 November 2020 and adopted recommendations for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendation from the Local Government Oversight Committee Meeting held on Thursday 12 November 2020.

Recommendation for Current Branch Allocations and Transfer of Branches between LGCs:

That under Clause 7.4.2(3), the Glenorie Branch, West Pennant Hills Branch and Round Corner Branch (Cherrybrook being its prior name) are transferred into The Hills Local Government Conference.

Background:

Clause 7.4.2(3) enables a Local Branch to transfer from one LGC to another after a motion to that effect is carried by the LGOC after consulting with the Local Branch and the LGC to which it wishes to transfer.

As part of the consultation process which included such interactions as branch meetings, email correspondence, via telephone and advice received from the LGC, the overwhelming consensus amongst the Glenorie Branch, West Pennant Hills Branch and Round Corner Branch is to transfer into The Hills Local Government Conference.

The Hills Local Government Conference has formally objected to these branch transfers.

Consultation and Notifications with the Glenorie Branch occurred on 13 September 2020 (Branch Meeting), 23 September 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with the West Pennant Hills Branch occurred on 15 September 2020 (Branch Meeting), 2 October 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with the Round Corner Branch (Cherrybrook being its prior name) occurred on 15 September 2020 (Branch Meeting), 29 September 2020, 25 October 2020 and 8 November 2020.

Consultation and Notifications with The Hills LGC occurred between 18 October 2020 and until 6pm, 12 November 2020.

Glenorie Branch and Round Corner Branch (Cherrybrook being its prior name) were previously allocated in The Hills LGC and remain aggrieved that both were transferred out of The Hills LGC by a previous decision of State Executive without any notification or consultation.

The West Pennant Hills Branch asserts that the suburb of West Pennant Hills is located within The Hills LGA and seeks a remedy.

Report prepared by:

Peter Poulos, Chair, Local Government Oversight Committee

15 November 2020

SE Electronic Ballot - 20201120 - Branch Transfer to LGC

Name	Motions	1	Method/Note
	Able to Vote	Y/N/A	
Philip Ruddock	Yes	Y	Email
Penny George	Yes	N	Email
Christopher Rath	Yes	Y	Email
Tobias Lehmann	Yes	N	Email
Aileen MacDonald	Yes	Y	Email
Mary-Lou Jarvis	Yes	Y	Email
James Wallace	Yes	Y	Email
Matthew Camenzuli	Yes	Y	Email
Matthew Hana	Yes	Y	Email
Chantelle Fornari-Orsmond	Yes	N	Email
Martin Zaiter	Yes	N	Email
Sally Betts	Yes	Y	Email
Zac Miles	Yes	N	Text (SM)
Michelle Byrne	Yes	N	Email
Christian Ellis	Yes	Y	Text (CS)
Jacqui Munro	Yes	Y	Email
Michelle Bishop	Yes	Y	Email
Damien Jones	Yes	N	Email
Patrick Doherty	Yes	Y	Email
Mark Croxford	Yes	Y	Email
Anna Chandler	Yes	N	Text (SM)
Jemma Tribe	Yes	N	Email
Alexander Dore	Yes	Y	Email
Michael Hughes	Yes	Y	Email
Hugo Robinson	Yes	Y	Email
Alex Hawke	Yes	N	Email
Mark Coure	Yes	Y	Email
Steven Issa	Yes	N	Email
Teena McQueen	No	N/A	
	Total	17	
	Voting Pool	28	
	Percentage Requirement	60%	
	Result	Carried	

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 26 March 2021
RE: Further AGM Extension Requests, Nomination Waiver Request, Baulkham Hills Branch Proposed Suspension

AGM EXTENSION REQUESTS

Clause 7.5.2 of the Constitution sets out that:

Each Local Branch must hold its AGM:

(1) by 31 October in each even year commencing 2008 or such other date as State Executive may determine for all Local Branches; or

(2) if:

(a) in any even year commencing 2008, the Local Branch makes a written application to State Executive, it may seek an extension for that Local Branch to hold its AGM. An application for an extension must be made before 31 October in that year or before the date determined by State Executive for the conclusion of Branch AGMs; and

(b) State Executive approves the application, not later than the date determined by State Executive for that Local Branch.

However, at its meeting on 28 August 2020, State Executive resolved that the date by which AGMs for branches must be held for the 2020 even year, be extended to 31 March 2021. The Secretariat has received the following Branch AGM extension requests.

SUSSEX INLET BRANCH

The State Director has received a request from David Tarbett, President of the Sussex Inlet Branch, requesting an extension. Mr Tarbett advises:

"My name David Tarbert and I am the President of the Sussex Inlet Branch and we are requesting an extension of our AGM due to the following reason. Our Secretary has been called out of town for family medical issues and I am now booked for minor leg surgery on the same day our meeting was to be held. I hope you can assist us".

Should State Executive be inclined to grant this extension then a motion to this effect follows:

MOTION 1: *State Executive RESOLVES, pursuant to clause 7.5.2(2)(a) of the Constitution, to extend the date by which the Sussex Inlet Branch must hold its 2020 AGM to 31 May 2021.*

BALMAIN/ROZELLE BRANCH

The State Director has received a request from Gordon Weiss, President of Balmain/Rozelle Branch, requesting an extension. Mr Weiss advises:

“We were struggling for a quorum for tonight’s meeting, and now have one less confirmed attendee – me. I am trapped between flooded rivers and collapsed roads in the Megalong Valley and with no prospect of getting out for a couple of days.

I suggest we cancel tonight’s meeting and then apply to HQ for an extension. Thoughts?

Note, communications are also very bad right now so I could be hard to catch. I also have much to do to deal with damage, and with the 25 people who are trapped and staying in our house.”

Should State Executive be inclined to grant this extension then a motion to this effect follows:

MOTION 2: *State Executive RESOLVES, pursuant to clause 7.5.2(2)(a) of the Constitution, to extend the date by which the Balmain/Rozelle Branch must hold its 2020 AGM to 30 April 2021.*

WALLSEND YOUNG LIBERAL BRANCH

The State Director has received a request from Callum Pull, a member of Wallsend Young Liberal Branch, requesting an extension. Mr Pull advises:

“As a member of the Wallsend Young Liberals, I ask that you provide an extension to the time allowed for our Branch to hold an AGM. As members of the Branch who aren’t on the Executive, we did the right thing in allowing time for the Executive to call the AGM.

We believe that the current Executive will fail to call a meeting; many other members and I are worried that the Branch will be dissolved. I have spoken to Branch members, and we are asking for an extension as we will submit to you tomorrow a Requisition letter.

This is so that you can have the confidence that the meeting will take place as the Requisition order must be fulfilled once it is submitted. I have spoken with the FEC President, Cr Brad Luke, and he has signalled willingness to call a meeting should the Executive again fail to call the AGM in the allotted time in the Requisition order as per section 4.3.1 of the Constitution.”

Should State Executive be inclined to grant this extension then a motion to this effect follows:

MOTION 3: *State Executive RESOLVES, pursuant to clause 7.5.2(2)(a) of the Constitution, to extend the date by which the Wallsend Young Liberal Branch must hold its 2020 AGM to 30 April 2021.*

NOMINATION WAIVER REQUEST – DR FRED NASSER

The State Director has received a request from Dr Fred Nasser who is wishing to nominate for the Legislative Council casual vacancy (St George/Illawarra province) caused by the resignation of the Hon John Ajaka MLC.

Dr Nasser is a recent member of the Party, being accepted on 28 January 2021 and, therefore, does not currently meet the minimum membership requirements to be eligible to nominate. However, State Executive can waive this requirement if it considers there are exceptional circumstances for doing so.

Clause 21.2.1 of the Constitution stipulates that:

- (1) *A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:*
 - (a) *is a financial member of the Organisation; and*

(b) has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations, otherwise the nomination is of no effect.

(2) Despite subclause 21.2.1(1) if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in subclause 21.2.1(1)(b) with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.

Dr Nasser advises that he has been heavily involved in the Party for over 30 years but felt that it was not appropriate, given his previous work environment, to be a member of a political party until recently. Attached at **Annexure A** is a copy of Dr Nasser's letter requesting a waiver.

Should State Executive be inclined to grant Dr Nasser's request, a motion to this effect follows.

MOTION 4: State Executive RESOLVES by a motion of 60%, that exceptional circumstances exist justifying a waiver of the 6-month membership requirement in clause 21.2.1(1) of the Constitution with respect to the nomination of Dr Fred Nasser for selection as a Liberal candidate to fill the casual vacancy on the Legislative Council caused by the resignation of the Hon John Ajaka MLC, and that this requirement should be waived.

BAULKHAM HILLS BRANCH PROPOSED SUSPENSION

State Executive would be aware of issues relating to the Baulkham Hills branch that have been aired publicly for more than 2 years, relating to a meeting by the branch on 8 October, 2018.

A dispute was put to the State Director by Kieran Walton, 24 October 2018, of which counter complaints were raised, concerning the minutes provided from the meeting revolving around:

1. The acceptance of members Bernadette Ross, Tristan Ross, Alexander Touma, Charlie Touma, Donna Touma, Jessie Touma, Magie Touma, Michael Touma, Norman Touma, Tayla Touma (together, "the Members");
2. the Members' rights to participate in or exercise a vote in the Branch; and
3. the business transacted at a meeting of the Branch on 8 October 2018 ("the Meeting") – specifically, the resolution for acceptance of the Members' applications to be members of the Branch ("the Applications").

In August, 2020, Mr Walton's dispute was removed, and shortly after so were the other complaints.

In March 2021, a new complainant, Rosina Gordon, who previously signed a statutory declaration, submitted a formal dispute with Matthew Camenzuli maintaining similar objections outlined by Kieran Walton.

There is concern regarding the media attention of the matter, as shown through various media articles and commentaries in the Parliament, including but not limited to:

1. Liberals in factional war over 'record tampering' – 13 November 2018
2. ScoMo's right-hand man probed over power play – 26 February 2020
3. Premier brushes off festering Liberal branch tensions – 22 June 2020

4. Ex-ICAC boss to lead inquiry to Lib branch scandal – 5 July 2020

As such, it is important to suspend the branch until the matter is investigated to ensure the integrity of all matters that involve the branch.

Clause 20.2 provides State Executive with the power to suspend a branch or conference. Clause 20.2.2 outlines that “State Executive may suspend a Branch or Conference under clause 20.2.1 only if each member of State Executive and that Branch or Conference is given at least 28 days’ notice in writing that a motion to suspend the Branch or Conference will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in Appendix E.”

Appendix E of the constitution outlines that the State Executive must:

1. give each of its members notice in writing that the complaint or motion will be put at a general meeting of the Body;
2. give the Member who is the subject of the complaint or motion the particulars of any complaint against that Member.
3. give the Member who is the subject of the complaint or motion an opportunity to address the general meeting of the Body at which the complaint or motion is put; and
4. carry any motion by not less than 60% of the members of the Body present and voting at the general meeting.

Therefore should State Executive wish to commence suspension proceedings with respect to the Baulkham Hills Branch, it is required to provide members with procedural fairness by putting them on notice of the proposed suspension motion, together with particulars of the issues giving rise to the proposed suspension, and then granting them an opportunity to attend a future meeting of State Executive to address these matters.

Following consideration of the matters outlined in this report, State Executive is asked to consider the following motion:

MOTION 5: *State Executive resolves that, following the conclusion of 28 days’ notice to the Members of the Baulkham Hills Branch which will be issued immediately, State Executive will consider the following motion at its next relevant meeting:*

“That State Executive resolves to suspend the Baulkham Hills Branch of the Liberal Party of Australia (NSW Division) effective immediately on the passing of this motion.”

State Executive is asked to indicate a position in relation to the proposed motion by email to be received by **by 5:30pm, Friday, 26 March 2021.** Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20210326 - Further AGM Extension Requests, Nomination Waiver Request, Baulkham Hills Branch Proposed Suspension

Name	Motions	1	2	3	4	5	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	Y	Y	Y	A	Email
Penny George	Yes	Y	Y	Y	Y	N	Email
Christopher Rath	Yes	Y	Y	Y	Y	Y	Email
Tobias Lehmann	Yes	Y	Y	Y	Y	N	Email
Aileen MacDonald	Yes	Y	Y	Y	Y	Y	Email
Mary-Lou Jarvis	Yes	Y	Y	Y	Y	Y	Email
James Wallace	Yes	Y	Y	Y	Y	Y	Email
Matthew Camenzuli	Yes	Y	Y	Y	Y	Y	Email
Matthew Hana	Yes	Y	Y	Y	Y	Y	Email
Chantelle Fornari-Orsmond	Yes					N	Text to Chris Stone
Martin Zaiter	Yes	Y	Y	Y	Y	N	Email
Sally Betts	Yes	Y	Y	Y	Y	Y	Email
Zac Miles	Yes						
Michelle Byrne	Yes	Y	Y	Y	Y	N	Email
Christian Ellis	Yes	Y	Y	Y	Y	Y	Email
Jacqui Munro	Yes	Y	Y	Y	Y	Y	Email
Michelle Bishop	Yes	Y	Y	Y	Y	Y	Email
Damien Jones	Yes	Y	Y	Y	Y	N	Email
Patrick Doherty	Yes	Y	Y	Y	Y	Y	Email
Mark Croxford	Yes	Y	Y	Y	Y	Y	Email
Anna Chandler	Yes						
Jemma Tribe	Yes						
Alexander Dore	Yes	Y	Y	Y	Y	Y	Email
Michael Hughes	Yes						
Deyi Wu	Yes	Y	Y	Y	Y	Y	Email
Alex Hawke	Yes	Y	Y	Y	Y		Email
Mark Coure	Yes	Y	Y	Y	Y	A	Email
Steven Issa	Yes						
Charlie Taylor	No	N/A	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	N/A	
	Total	22	22	22	22	14	
	Voting Pool	28	28	28	28	26	
	Percentage Requirement	50%	50%	50%	50%	50%	
	Result	Carried	Carried	Carried	Carried	Carried	

LGOC April Recommendations to State Executive and the State Director

2 messages

Peter Poulos

Mon, Apr 19, 2021 at 9:00 AM

To: President

Cc: Chris Stone

Perrottet

Simon McInnes

Dallas J McInerney

, Charles

Good morning Mr President,

I have attached for your consideration recommendations adopted by the Local Government Oversight Committee on Friday 16 April 2021.

This involves a proposal to open nominations for Series 5 Local Government Areas.

On another note, I am particularly pleased to note that our first NRCs will commence this week. I do hope we will begin to accelerate this process considering we now have 26 Local Government Areas in the system with 5 more pending. There is an expectation amongst candidates that selection meetings should roll out during May.

As always, I would be happy to respond to any questions that you or the State Director might have and I invite the State Executive to favourably consider these recommendations at its next meeting.

Kind regards

Peter Poulos

Chair-Local Government Oversight Committee



LGOC Recommendations to SE 19 April 2021.pdf

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LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met on Friday 16 April 2021 and adopted the following recommendation for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendation from the Local Government Oversight Committee Meeting held on Friday 16 April 2021.

Recommendation to Run Endorsed Liberal Candidates (Series 5):

State Executive opens **Series 5** nominations for the following Council areas:

Fairfield, Hornsby Shire, **The Hills** Shire, Parramatta, Penrith

Series 5 Council areas and their preselections be conducted in accordance with the public health orders and the Emergency Mandatory Code of Practice.

The State Director to determine whether a preselection is undertaken either face to face or via a virtual Tele-Town Hall meeting format.

Nominations for Series 5 Council Areas for Winnable Positions open at 9am on Wednesday 28 April 2021 and close at 5pm on Wednesday 12 May 2021.

In accordance with 21.1.2 the below timetable sets out eligibility of a person to be a member of a Selection Committee and determines the earliest and the latest dates upon which the meeting of the relevant Selection Committee is to be held.

Selection meetings to take place prior to 30 June 2021.

Nominations for Series 5 Council Areas for Unwinnable Positions open at 9am on Wednesday 28 April 2021 and close upon the recommendation of the State Director following consultation with the LGOC.

**Series 5: Timetable for Local Government Council Elections:
Fairfield, Hornsby Shire, The Hills, Parramatta, Penrith**

Wednesday 28 April 2021	Nominations Open (9am)
Wednesday 12 May 2021	Nominations Close (5pm)
TBA	Registration of selectors Open (9am)
TBA	Registration of selectors Close (5pm)
16 June 2021	Close of Rolls & Eligibility of being a selector (applicable for areas with LGCs)
TBA	Rolls Circulated
TBA	Challenges of the roll close (5pm)
TBA	Challenges ruled on
2 years continuous prior to 16 June 2021	Date for eligibility for person to be on Selection Committee
Between 20-30 June 2021	Selection Meeting

Recommendation to Determine Winnable Positions (Series 5):

With respect to the 2020 NSW Local Government Election which has been postponed and is now being held on 4 September 2021, the number of winnable positions by Local Government Council Area for Series 5 Pre-selections shall be determined as follows:

COUNCIL	TOTAL POSITIONS	WINNABLE POSITIONS
Fairfield	12 plus Mayor	2 in total (1 per Ward) and contest Mayor
Hornsby Shire	9 plus Mayor	7 in total and applied as follows: Ward A: 2 Ward B: 2 Ward C: 2 and contest Mayor
The Hills Shire	12 plus Mayor	9 in total and applied as follows: Central Ward: 2 East Ward: 2 North Ward: 2 West Ward: 2 and contest Mayor
Parramatta	15	6 in total and applied as follows: Dundas Ward: 1 Epping Ward: 1 North Rocks Ward: 2 Parramatta Ward: 1 Rosehill Ward: 1 All positions to be selected by SE due to no LGC
Penrith	15	5 in total and applied as follows: East Ward: 2 North Ward: 1 South Ward: 2 All positions to be selected by SE due to no LGC

Report prepared by:

Peter Poulos
Chair, Local Government Oversight Committee
19 April 2021

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 31 May 2021
RE: Re-opening nominations Hawkesbury, Baulkham Hills Branch suspension, Local Government nomination waiver requests

RE-OPENING NOMINATIONS – HAWKESBURY CITY COUNCIL

At its meeting on 23 April 2021, a report was tabled advising State Executive that there was no longer any nominees for winnable position 2 on the Hawkesbury local government ticket and recommending that nominations be re-opened. The reported noted State Executive had previously resolved to contest the 2021 Local Government elections in the local government area of Hawkesbury, and determined that the winnable positions on the ticket would be positions 1 through 5. Nominations for all positions then opened on 5 August 2020, and closed for winnable positions on 19 August 2020.

It was further noted that as at the close of nominations, there were multiple nominees for the winnable ticket position 2, however, earlier in April 2021, each of those nominees withdrew, leaving no valid nominations for position 2. In the circumstances, it was recommended that nominations be re-opened at 9:00am on Wednesday 28 April 2021, for a period of three weeks.

At the 23 April 2021 meeting, State Executive agreed to defer consideration of this matter and to consider it as part of an electronic ballot in the following week along with a series of Conference AGM extension requests. Unfortunately, there was a mix up in communications and an email was sent to all members advising that nominations in this position had re-opened (on 28 April 2021, closing on 12 May 2021) without it having been put to State Executive by electronic ballot. A valid nomination was received during this period.

To correct this, it is now necessary for State Executive to consider a motion, should it so wish, to retrospectively open and close nominations for this position. A motion to this effect follows.

MOTION 1: *State Executive resolves, pursuant to clause 21.1.2(1)(b) of the Constitution, that nominations for preselection as the Liberal candidate for ticket position 2 in Hawkesbury City Council for the 2021 Local Government elections open at 9:00am on Wednesday, 28 April 2021 and close at 5:00pm on Wednesday, 12 May 2021.*

BAULKHAM HILLS BRANCH PROPOSED SUSPENSION

At its meeting on 23 April 2021, State Executive deferred consideration of a motion to suspend the Baulkham Hills Branch, to enable legal advice to be obtained as to whether:

- a) Members of State Executive who are Members of the Baulkham Hills Branch, can vote on the motion to suspend the Branch; and
- b) Whether a member of State Executive who is the proponent/complainant of the substantive dispute complaint, could vote on the motion to suspend the Branch.

Advice was obtained from Sam Duggan of Counsel, and circulated to members of State Executive on 10 May, 11 May (amended advice with minor error corrected) and 18 May 2021 (supplementary advice on additional issue). A copy of the amended advice and supplementary advice are attached at **Annexure A**.

Following consideration of Counsel's advice, State Executive will need to consider the deferred motion:

Motion 2: *That State Executive, by a majority of 60% of those present and voting, resolves to suspend the Baulkham Hills Branch of the Liberal Party of Australia (NSW Division) effective immediately on the passing of this motion.*

NOMINATION WAIVER REQUEST – JOHN MOORES

The State Director has received a request from Mr John Moores who is wishing to nominate as a candidate for selection for the mayoral position and number 1 position on Ward B in the Cessnock local government elections. Both of these positions have been deemed to be unwinnable.

Mr Moores is a recent member of the Party, being accepted on 20 May 2021 by Cessnock Branch and, therefore, does not currently meet the minimum membership requirements to be eligible to nominate. However, State Executive can waive this requirement if it considers there are exceptional circumstances for doing so.

Clause 21.2.1 of the Constitution stipulates that:

- (1) A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:
 - (a) is a financial member of the Organisation; and*
 - (b) has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations,*otherwise the nomination is of no effect.*
- (2) Despite subclause 21.2.1(1) if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in subclause 21.2.1(1)(b) with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.*

Mr Moores advises that as an ex-general manager of a coal mining company in the area he has literally employed thousands of mine workers in the Hunter Valley and in Cessnock in particular, citing that he believes he is the perfect candidate for the Liberal Party to take back a seat in Ward B. Mr Moores' waiver application is supported by Paul Dunn, the President of Cessnock LGC. Attached at **Annexure B** is a copy of Mr Moores' email requesting a waiver along with a copy of an email from Mr Dunn supporting his waiver request.

Should State Executive be inclined to grant Mr Moores' request, a motion to this effect follows.

MOTION 3: *State Executive RESOLVES by a motion of 60%, that exceptional circumstances exist justifying a waiver of the 6-month membership requirement in clause 21.2.1(1) of the Constitution with respect to the nomination of Mr John Moores for selection as a Liberal candidate for Mayor and position 1 in Ward B in the 2021 Cessnock local government elections.*

NOMINATION WAIVER REQUEST – CAROL TANNOUS-SLEIMAN

The State Director has received a request from Ms Carol Tannous-Sleiman who is wishing to nominate as a candidate for selection for the number 1 position on North Ward in the Hunters Hill local government elections. This position has been deemed to be unwinnable.

Ms Tannous-Sleiman is a recent member of the Party, having joined as a general member on 21 May 2021 and, therefore, does not currently meet the minimum membership requirements to be eligible to nominate. However, State Executive can waive this requirement if it considers there are exceptional circumstances for doing so.

Clause 21.2.1 of the Constitution stipulates that:

- (1) A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:
 - (a) is a financial member of the Organisation; and*
 - (b) has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations,*otherwise the nomination is of no effect.*
- (2) Despite subclause 21.2.1(1) if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in subclause 21.2.1(1)(b) with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.*

Ms Tannous-Sleiman advises that although she is new to the Party, she has for many years been heavily involved in the Hunters Hill and Ryde community and it is her intention to help assist the team in the good work that they are doing in the Hunters Hill LGA. Ms Tannous-Sleiman's application is supported by Councillors Zac Miles and Ben Collins. Attached at **Annexure C** is a copy of Ms Tannous-Sleiman's letter requesting a waiver along with a copy of emails/letters of support from Councillors Miles and Collins.

Should State Executive be inclined to grant Ms Tannous-Sleiman's request, a motion to this effect follows.

MOTION 4: *State Executive RESOLVES by a motion of 60%, that exceptional circumstances exist justifying a waiver of the 6-month membership requirement in clause 21.2.1(1) of the Constitution with respect to the nomination of Ms Carol Tannous-Sleiman for selection as a Liberal candidate for position 1 in North Ward in the 2021 Hunters Hills local government elections.*

State Executive is asked to indicate a position in relation to the proposed motion by email to be received by **by 12:00pm, Tuesday, 1 June 2021.** Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20210531 - Baulkham Hills, Waivers, Hawkesbury

Name	Motions	1	2	3	3	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	Y	Y	Y	Email
Penny George	Yes	Y	N	Y	Y	Email
Christopher Rath	Yes	Y	Y	Y	N	Email
Tobias Lehmann	Yes	Y	N	Y	Y	Email
Aileen MacDonald	Yes	Y	Y	Y	N	Email
Mary-Lou Jarvis	Yes	Y	Y	Y	Y	Email
James Wallace	Yes	Y	Y	Y	Y	Email
Matthew Camenzuli	Yes	Y	Y	Y	N	Email
Matthew Hana	Yes	Y	Y	Y		Email
Chantelle Fornari-Orsmond	Yes	Y	N	Y	Y	Email
Martin Zaiter	Yes	Y	N	Y	Y	Email
Sally Betts	Yes	Y	Y	Y	N	Email
Zac Miles	Yes	Y	N	Y	A	Text (SM)
Michelle Byrne	Yes	Y	N	Y	Y	Email
Christian Ellis	Yes	Y	Y	Y	N	Email
Jacqui Munro	Yes	Y	Y	Y	Y	Email
Michelle Bishop	Yes	Y	Y	Y	N	Email
Damien Jones	Yes	Y	N	Y	Y	Email
Patrick Doherty	Yes	Y	Y	Y	N	Email
Mark Croxford	Yes	Y	Y	Y	N	Email
Anna Chandler	Yes	Y	N	Y	Y	Text (SM)
Jemma Tribe	Yes	Y	N	Y	Y	Email
Alexander Dore	Yes	Y	Y	Y	N	Email
Michael Hughes	Yes	Y	Y	Y	Y	Email
Deyi Wu	Yes	Y	Y	Y	N	Email
Alex Hawke	Yes	Y	N	Y	Y	Email
Mark Coure	Yes	Y	Y	Y	N	Email
Steven Issa	Yes	Y	N	Y	Y	Email
Charlie Taylor	No	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	
	Total	28	17	28	15	
	Voting Pool	28	28	28	27	
	Percentage Requirement	50%	60%	60%	60%	
	Result	Carried	Carried	Carried	Lost	



Urgent Electronic Ballot - Hawkesbury, Baulkham Hills, Waivers - PLEASE RESPOND BY MIDDAY TOMORROW

Christian Ellis

Tue, Jun 1, 2021 at 10:13 AM

To: Simon McInnes, Philip Ruddock, Penelope George-Farlow, chris-rath com>, Tobias Lehmann, Aileen MacDonald, Mary-Lou Jarvis, "james r.m. wallace", Matthew Camenzuli, Matthew Hana, >, martin, Sally Betts, David Miles, Michelle Byrne, Jacqueline Munro, Michelle Bishop, Damien Jones, Patrick Doherty, Mark Croxford, Anna Chandler, Jemma Tribe, Alex Dore, Michael Hughes, Alex Hawke, Mark Coure, Steven Issa, Teena McQueen, Dorina Ilievska, Chris Stone

Dear Philip

As the State Director is aware, I had concerns with the advice provided by Mr Duggan relating to Motion 2 and conflicts of interest.

In light of this I sought my own advice from Jeff Phillips SC, and am providing it to all of state executive for the consideration of people's eligibility to vote on the matter.

Kind regards

Christian

[Quoted text hidden]

 **J Phillips SC Legal Advice Conflict of Interest.pdf**
203K



State Director Ruling 4 June 2021

Re: Eligibility of State Executive Member to Vote on Suspension Motion

Background

By electronic ballot carried on 26 March 2021, State Executive resolved to consider a motion to suspend the Baulkham Hills Branch (Suspension Motion). The basis of the Suspension Motion was to allow for the investigation of a complaint submitted to the State Director jointly by Mrs Rosina Gordon and Mr Matthew Camenzuli in March 2021, relating to the outcome of a disputed meeting of the Branch held in October 2018.

I subsequently found that Mrs Gordon was no longer a Member of the Division and therefore, when the suspension motion was considered at a meeting of State Executive on 23 April 2021 (Meeting), Mr Camenzuli, an Urban Representative on State Executive, was the sole complainant.

At the Meeting, questions were raised as to the eligibility of certain members of State Executive to vote on the Suspension Motion, and the matter was deferred so that legal advice could be obtained in relation to the members' entitlements. The affected members were:

- Mr Camenzuli, being the proponent/complainant of the substantive dispute, and
- The Hon Alex Hawke MP and Councillor Dr Michelle Byrne, who are current Members of the Baulkham Hills Branch.

Advice was obtained from Sam Duggan of Counsel, and circulated to members of State Executive on 10 May (initial advice), and 11 May 2021 (amended advice with minor error corrected). A supplementary advice on an additional issue concerning Mr Hawke and Dr Byrne's specific potential conflicts was obtained from Mr Duggan and circulated on 18 May 2021.

Mr Duggan's advice was that Mr Camenzuli was disqualified from voting, as he was properly characterised as the moving party in relation to the substantive dispute, so had an actual bias as to the outcome of the dispute that no evidence or argument is likely to overcome. Mr Duggan's opinion was that Mr Camenzuli had a conflict of interest in being both the moving party and the adjudicator (as a member of State Executive) on the question of whether the Branch should be suspended.

As to Mr Hawke and Dr Byrne, Mr Duggan was of the opinion that they were not disqualified, as an interest in the outcome of the decision does not of itself disqualify a decision maker in a domestic tribunal, such as a voluntary association. Mr Duggan noted that the system and methods of decision making in a domestic tribunal are entirely different to those of a Court and notions of procedural fairness must accommodate those differences, including the inherently political processes by which members of the Executive are elected and/or appointed.

Following circulation of Mr Duggan's advice, an electronic ballot was issued on behalf of the State President on 31 May 2021, returnable by 12:00pm on 1 June 2021. The ballot dealt with a number of matters, including at motion 2, the deferred Suspension Motion.

Mr Hawke and Dr Byrne voted on the Suspension Motion.

Shortly before the close of the ballot, Christian Ellis, Urban Representative on State Executive, circulated to State Executive legal advice he had obtained from Jeffrey Phillips SC. Mr Phillips' advice came to the opposing conclusion to that of Mr Duggan. He was of the opinion that Mr Camenzuli was not disqualified from voting on the proposed suspension, having no personal interest in the outcome of the motion, whilst Mr Hawke and Dr Byrne were disqualified, having been present at the disputed Branch meeting and therefore, potential witnesses to the events of the day. Mr Camenzuli informed State Executive that in light of the advice from Mr Phillips SC, provided by Mr Ellis, he did not believe he had a conflict and accordingly, he cast a vote on the Suspension Motion.

With Mr Camenzuli's vote, the Suspension Motion carried. Had Mr Camenzuli not voted, the motion would have been lost.

A complaint has been lodged by Tobias Lehmann, Country Vice-President, noting that the 28 votes counted in the ballot exceed the "*eligible pool*" of 27 State Executive members (determined by reference to Mr Duggan's advice), and seeking a recount of the Suspension Motion without the "*ineligible*" vote.

The State Director has the power under clause 19.1.3 of the Constitution to make decisions on any matters within clauses 17.6.1(1) and (2). Under clause 17.6.1(1)(c) the State Director has the power to make a decision relating to a Member's right to participate in or exercise a vote in any Body of the Division.

Analysis

As State Director I am not under any obligation to exercise my powers to make a ruling, and Mr Lehmann's complaint does not in terms seek a formal ruling. However, it is appropriate in the circumstances of this case that I consider and respond to the complaint as if a ruling has been requested, to enable referral to the Disputes Panel.

The complaint concerns the participation of a Member in a vote of a Body of the Division (State Executive being such a Body), and therefore falls within the remit of the State Director's powers under clause 19.1.3, noting clause 17.6.1(1)(c).

However, there is no dispute as to Mr Camenzuli's constitutional eligibility to participate in, and vote upon, matters before State Executive. He is a financial Member of the Division, and has been constitutionally elected as a member of State Executive. In the normal course, Mr Camenzuli is eligible to cast a vote.

The underlying issue in Mr Lehmann's complaint, is whether Mr Camenzuli, in casting a vote on the Suspension Motion, has properly managed a conflict of interest or bias, arising from his involvement in the substantive dispute as a proponent/complainant.

Where a member of State Executive is affected by an actual or perceived conflict of interest or perceived bias, it is a matter for the individual member to manage, or alternatively, a matter for State Executive. It is not a matter for the State Director to determine, nor do I consider it appropriate for the State Director to do so.

In responding to the electronic ballot, Mr Camenzuli indicated that he had considered his position and made a determination as to his eligibility to vote on the Suspension Motion, prior to casting his vote. I decline to make a ruling as to whether Mr Camenzuli has discharged his duty as a member of State Executive appropriately in the circumstances.

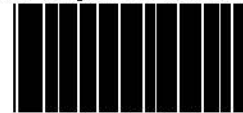
Ruling

I decline to make a ruling in relation to the question of whether Matthew Camenzuli was eligible to vote on the proposed suspension of the Baulkham Hills Branch.

Chris Stone 
State Director



Filed: 7 July 2021 9:47 AM



D0001FU1ED

Form 4A, 4B/ 84
Rule 6.2, 50.4, 50.12

SUMMONS

COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Equity General
Registry	Supreme Court Sydney
Case number	2021/00194083

TITLE OF PROCEEDINGS

First Plaintiff	Ned Attie
First Defendant	LIBERAL PARTY OF AUSTRALIA NSW DIVISION INCORPORATED ABN 30046889989
Second Defendant	Hon. Phillip Ruddock AO
Number of defendants	8 Refer to Party Details at rear for full list of parties

FILING DETAILS

Filed for	Plaintiff[s]
Legal representative	Ammar Jamal-Eddine
Legal representative reference	
Telephone	0416 699 645
Your reference	AJ:LP:211161

HEARING DETAILS

Listed at Supreme Court Sydney on 26 July 2021 at 09:30 AM.

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Summons (e-Services), along with any other documents listed below, were filed by the Court.

Summons (UCPR 4A/4B/84/85) (Signed Summons 7.7.21.pdf)
Affidavit (Sworn Affidavit of Ned Attie 6.7.21.pdf)

[attach.]

Form 40 (version 6)
UCPR 35.1

AFFIDAVIT OF NED ATTIE
SWORN 6 JULY 2021

COURT DETAILS

Court	Supreme Court of New South Wales
Division	Civil
List	General
Registry	Sydney
Case number	

TITLE OF PROCEEDINGS

Plaintiff	Ned Attie
Defendants	Liberal Party of Australia NSW Division and Ors

FILING DETAILS

Filed for	Ned Attie, Plaintiff
Filed in relation to	Plaintiff's claim
Legal representative	Concordia Legal
Legal representative reference	AJ:LP:211161
Contact name and telephone	Ammar Jamal-Eddine
Contact email	info@concordialegal.com.au

have referred had agreed to use the urgency powers clause 21.6.4 under Constitution to endorse its own team in Cumberland, being a new team that excluded sitting councillors including 2 members of the Far Right who have never been elected in local government before.

- 28 In June 2021 the President of the Wentworthville Young Liberals which is a branch in the Cumberland City Council area, a member of the Far Right faction, wrote a complaint to the State Director calling for suspension of the Cumberland LGC on the grounds that in 2019 a meeting of the LGC was held where the notice of meeting arrived 3 hours outside the 7 day notice period. This complaint has not been resolved by the State Director and is unlikely to be resolved before 4 August 2021 and I am informed by the LGOC has not and will not be considered by it in that time frame.
- 29 I say that the entire selection process to date for the Cumberland City Council ordinary councillor position elections in September 2021 has been delayed by the faction leaders of the Far Right/Moderate factions on State Executive as an excuse for using the urgency powers they have under the Constitution pursuant to clause 21.6.4 by a mere majority of State Executive members under the alliance I have referred to above, or alternatively 26.1.4 by a majority of 60%. The alliance of these two factions does not extend past a working majority of 60%.
- 30 On Thursday 1 July 2021, I was discussing the matter with a friend who is a close ally of the Far Right/Moderate factions in which he stated he will speak to Mr Gebran Habib, the President of the Wentworthville YLs and the author of the complaint against the Cumberland LGC and get back to me. He stated words to the effect 'I'm sure we can resolve this if we give Mr Habib 2 positions on Cumberland City Council for his team as Mr Habib is interested in Parramatta City Council.'
- 31 On Friday afternoon 2 July 2021 I was telephoned by the same person stating he had spoken to Mr Habib and he is willing to entertain a deal in accordance with the outcome that my team give the Far Right represented by Mr Habib 2 positions on Cumberland City Council and Mr Habib will take a Liberal position on Parramatta City Council. I said words to the effect in reply '*This whole issue has been frustrating, and I will only agree to giving one position subject to the Wentworthville YLs complaint being withdrawn officially and nominations being opened in Cumberland with a guarantee of my team remaining.*' He said words to the effect that 'I'm sure we can do this, and I'll have Charles Perrotet our contact you.'
- 32 On Saturday 3 July 2021 at about 4pm I was telephoned by the named Far Right faction influential member Mr Charles Perrotet also the Deputy Chair of the LGOC and a close factional colleague of Mr M Camenzuli who said to me words to the effect:

'The moderates do not want you on council and the intention is not to have endorsed Liberals on Cumberland City Council. I will try very hard to convince the moderates to first open nominations for Cumberland and then try and convince them to endorse you for the Council. There is no way we will endorse anyone who is aligned to the Centre Right which includes one of your colleagues on Cumberland. **The next meeting of the LGOC will be 12 July 2021 and I will then tell the team you are one of us and we should have you with us. You will then be endorsed with others using the urgency powers and the LGOC.** I said in reply in words to the following effect: 'If you are serious about this, I will allow one position to the Far Right so long as the preselection process is guaranteed in writing with my whole team, and you withdraw the Wentworthville YLs complaint.' I have since received no response.

- 33 The Constitution at the NSW Liberal Party was amended by resolution of State Council at its AGM held on 9 November 2019 to add the following new clause 26.1.4 with respect to the then proposed 2020 Council elections in NSW:
- "For the purposes only of the local government elections to be held in 2020, if there is no LGC in a local government area which State Executive has resolved the Party will contest, then State Executive may endorse, by a motion of 60% of those present and voting, a Member/s to be the candidate/s to contest the election in that local government area. "*
- 34 On 28 November 2020 a State Council meeting was convened, and the Liberal Party had an opportunity to pass a new resolution for the 2021 local government ordinary elections but did not do so. Numerous other motions were voted on but not on this issue.
- 35 A State Council was scheduled for 8 May 2021 but no resolution was on the agenda to make the 9 November 2019 resolution effective for 2021 by an amendment. This would have allayed any concerns about possible ambiguity of the Constitution es cl 26.1.4. This was in circumstances where it was known generally by me by others that legal advice existed to the effect that the 9 November 2019 resolution clause 26.1.4 had expired and could not be used in the 2021 local government elections.
- 36 On or about mid - April 2021, the Local Government Oversight Committee (LGOC) met and forwarded a recommendation to the State Executive to open nominations for candidates in several LGAs which have constituted and unconstituted Local Government Councils. The LGOC is an authorised committee of the State Executive in respect of local government matters including disputes.

SWORN at AUBURN

Signature of deponent

Name of witness Amur Jamal - F...

Address of witness

Capacity of witness Solicitor

And as a witness, I certify the following matters concerning the person who made this affidavit (the deponent):

- 1 I saw the face of the deponent.
~~I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.~~
- 2 I have known the deponent for at least 12 months.
~~I have confirmed the deponent's identity using the following identification document:~~

y)

Signature of witness

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B.



Shelley Hancock
Minister for Local Government

MEDIA RELEASE

Sunday, 25 July 2021

LOCAL GOVERNMENT ELECTIONS POSTPONED

The NSW Government today announced a new date for the Local Government elections has been set for Saturday 4 December 2021.

Minister for Local Government Shelley Hancock said the decision, after extensive consultation with and advice from the NSW Electoral Commission and NSW Health, has been made in response to the COVID-19 situation.

“Due to the COVID-19 pandemic and current Public Health Orders impacting Greater Sydney, we have made the difficult decision to postpone the Local Government elections until later this year,” Mrs Hancock said.

“We have taken this step to postpone the election to ensure the safety and wellbeing of our communities, voters, polling staff and candidates.”

The NSW Government has worked with the Electoral Commission and NSW Health to implement a comprehensive plan to allow voters to cast their ballot safely in person, by post or online.

iVote (electronic voting) will also be available for the first time in the local council elections and the NSW Government has implemented changes to pre-poll to ensure that voters have 13 days to cast their ballot, reducing congestion on polling day.

The NSW Government has made available a total of \$57 million for the elections in 2021, including \$37 million to deliver them in a COVID safe way.

In this election, 5.2 million voters will cast their ballots as around 5,000 candidates vie for 1,200 councillor positions across 125 local councils.

Nominations will open on Monday 25 October 2021 and close on Wednesday 3 November 2021.

Prospective candidates can find more information at the Office of Local Government website at www.olg.nsw.gov.au.

MEDIA: Caterina Polistina | 0439 196 539

LGOC August Recommendation to State Executive and the State Director

1 message

Peter Poulos

Wed, Aug 25, 2021 at 9:52 AM

To: President

Cc: Chris Stone

Perrottet

Simon McInnes

, Dallas J McInerney

, Charles

Good morning Mr President,

I hope that you are well and keeping safe.

I have attached for your consideration a recommendation **unanimously adopted by the Local Government Oversight Committee** on Monday 23 August 2021.

Once again, I reiterate my appreciation to you and the State Executive together with the State Director for methodically and patiently working through all the challenges associated with the upcoming Local Government Election.

As always, I would be happy to respond to any questions that you or the State Director might have and I invite the State Executive to favourably consider our recommendation at its next meeting.

Kind regards

Peter Poulos

Chair-Local Government Oversight Committee

 **LGOC Recommendations to SE 25 August 2021.pdf**

25K



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met on Monday 23 August 2021 and adopted the following recommendation for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendation from the Local Government Oversight Committee Meeting held on Monday 23 August 2021 given the current COVID-19 pandemic and various "lockdowns" have produced an unprecedented situation in NSW.

Recommendation to Contest in Local Government Areas with LGCs:

That the Party contests in the LGAs of **The Hills**, Blacktown, and Cumberland, and in accordance with **21.6.4 of the Constitution**, the State Executive **commences consultation with The Hills, Blacktown, and Cumberland LGCs** with respect to a **truncated process for candidate selection** given the State Executive has previously decided that there is insufficient time for the selection of candidates as otherwise constitutionally provided.

Report prepared by:

Peter Poulos

Chair, Local Government Oversight Committee
25 August 2021

BODY: State Executive
DATE: 27 August 2021
SUBJECT: Local Government Matters
REPORT OF: State President
Purpose: To update State Executive on recommendations from the Local Government Oversight Committee.
Recommendation(s): Nil.

1. Background

- 1.1** Attached at **Appendix A** is a report by the Local Government Oversight Committee resulting from their meeting on 23 August 2021.
- 1.2** The report deals with contesting the 2021 Local Government elections in the local government areas of **The Hills**, Blacktown and Cumberland and commencing a consultation process under clause 21.6.4 of the Constitution with respect to a truncated selection process in those areas.
- 1.3** This report was only provided to the Secretariat mid-morning on 25 August 2021. As such, at the time of reporting, **the Secretariat has not had the opportunity to adequately consider the recommendations** or make any reasonable determination as to whether the Division is sufficiently resourced to implement them.

Philip Ruddock AO
State President

.....

Issue/Matter

Discussion/Resolution

- 4) Christine Kay
- 5) Hugh Eriksson
- 6) Sam Ngai
- 7) Jessica Keen

- Directors (Rural/Regional) –
 - 1) Cameron Walters
 - 2) Alice Glachan
 - 3) James Owen
 - 4) Julia Ham
 - 5) Kevin Schreiber

CARRIED

Consultation with The Hills, Blacktown and Cumberland LGAs

It was noted that at its meeting on 27 August 2021, State Executive passed a motion “that the Division contest and consult in The Hills, Cumberland and Blacktown local government areas.”

It was further noted that the papers tabled included a report from the State Director advising that the Division had consulted with the relevant LGCs. The report noted that the State Director advised that it is now less than 2 weeks before nominations with the NSW Electoral Commission open for the postponed 2021 local government elections, that there is not enough time, nor does the Secretariat have the resources, to open nominations in any other local government areas where it hasn’t already called for nominations, including Blacktown and Cumberland.

In the report the State Director noted that State Executive has already called for nominations for The Hills, nomination reviews have been conducted, the preliminary roll has been distributed and challenges have been received. In the report he advised that all that is required is that those challenges be ruled upon and a selection committee held, pursuant to the truncated selection process already adopted by State Executive, and for State Executive to then endorse those candidates selected.

In the report the State Director recommended that State Executive resolve to set a selection committee meeting date range for The Hills selection to be held between 4 October 2021 and 18 October 2021 (inclusive) and that State Executive resolve not to contest any local governments areas that it has previously contested, but has not yet resolved to contest or has not yet opened nominations in, noting that this will provide clarity to members in those local government areas so that they can consider whether they wish to run as independent candidates.

Motion: To defer consideration of the State Director’s recommendations and refer them to the Local Government Oversight Committee for its consideration and recommendation, such recommendation to be supplied by 29 September 2021.

CARRIED

Selection of Unwinnable Position – Ward 1, Newcastle

In the tabled report it was noted that by electronic ballot issued 14 September 2021, a motion to select Aaron Buman as the Division’s



LOCAL GOVERNMENT OVERSIGHT COMMITTEE

Recommendations to State Executive

Background

The Local Government Oversight Committee (LGOC) met on Monday 27 September 2021 and adopted the following recommendations for the consideration of the State Executive.

Recommendations to State Executive

That State Executive approves the following adopted recommendations from the Local Government Oversight Committee Meeting held on Monday 27 September 2021.

Recommendation to finalise Local Government Matters

In relation to the motions referred by the State Executive on Friday 24 September 2021, LGOC recognises that there is insufficient time and accepts that the Secretariat does not have the resources to open nominations in any other local government area where it has not called for nominations, and therefore proposes that any ongoing and outstanding local government matter yet to be resolved and relevant to the 2021 NSW Local Government Election, including the endorsement of candidates, be finalised by Monday 18 October 2021 under Clause 21.6.4, to further assist the Secretariat and the State Executive to advance the Federal selection processes and required administration as a significant priority.

Recommendation for Unresolved Local Government Areas

That LGOC at its next meeting on Monday 11 October 2021 consider and make final recommendations to State Executive for all local government areas yet to be considered or resolved such as Blacktown, Cumberland, Fairfield, Inner West, Shellharbour, Strathfield, Tamworth and Wollondilly.

Recommendation to Select Candidates in The Hills LGA

That State Executive apply Clause 21.6.4 for the selection of candidates in The Hills LGA and endorse the following group of candidates in each ward (13 in total) as set out in the order below:

Mayor: Peter Gangemi

East Ward:

1. Alan Haseldon
2. Jerome Cox
3. Raylee Hodges

North Ward:

1. Peter Gangemi
2. Virginia Ellis
3. Mitchell Blue
4. Rory O'Connor

Central Ward:

1. Jessica Brazier
2. Mark Hodges
3. Jagmohan Dhaliwal

West Ward:

1. Rosemary Boneham
2. Michael Thomas
3. Tony Maroun

Recommendation for Urgent Endorsement Procedures in Areas without an LGC

That where there exists a local government area with no functioning LGC and subject to the following:

- i) A Member of Parliament, Patron Senator or Provincial MLC with oversight or a direct interest with a particular LGA endorses a group of candidates to contest the 2021 NSW Local Government Election; and
- ii) All nomination forms and the statutory declaration is completed by each candidate proposed on the ticket and the requirement to conduct a nomination review by the State Director is dispensed with; and
- iii) LGOC supports contesting the local government area and recommends a group of candidates, for the consideration of the State Executive to determine under Clause 21.6.4.

Recommendation to Select Candidates in Burwood LGA

That the Burwood LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in the Burwood LGA and endorse the following group of candidates (4 in total) as set out in the order below:

1. Hugo Robinson (Winnable)
2. David Hull and Mayoral Candidate (Non-Winnable)
3. Laura Middleton (Non-Winnable)
4. John Paul Baladi (Non-Winnable)

Recommendation to Select Candidates in Wagga Wagga LGA

That the Wagga Wagga LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in the Wagga Wagga LGA and endorse the following group of candidates (7 in total) as set out in the order below:

1. Robert Sinclair
2. Simon Paton
3. Rosina Gordon
4. Stephen Vieira
5. Daniel Vieira
6. Robin Dennis
7. Cathy Dennis

Recommendation to Select Candidates in Bayside LGA

[The Chair recused himself during the consideration of this matter]

That the Bayside LGA be contested by the Liberal Party of Australia (NSW Division) at the 2021 NSW Local Government Election.

That State Executive apply Clause 21.6.4 for the selection of candidates in Bayside LGA and endorse the following group of candidates in each ward (15 in total) as set out in the order below:

Ward 1	Ward 2	Ward 3	Ward 4	Ward 5
1. Nicholas Mickovski*	1. Michael Nagi*	1. Ron Bezic*	1. Tina Ayyad*	1. Vicki Poulos*
2. Prem Singh	2. Ali Jaafar	2. Anna Lazarou	2. Sally Reslan	2. Nada Abdallah
3. Vinko Bezic	3. Hussein Saab	3. David Damato	3. Yassmin Hakim	3. Vera Mickovska

*Deemed Winnable Position

Report prepared by:

Charles Perrottet

Deputy Chair, Local Government Oversight Committee

28 September 2021

LGOC September Recommendations to State Executive and the State Director

1 message

Date: Sep 29, 2021, 10:19

From:

To: [m](#)

Cc:

Subject: LGOC September Recommendations to State Executive and the State Director

Dear Philip,

I have attached for your consideration recommendations adopted by the Local Government Oversight Committee (LGOC) on Monday 27 September 2021 which provide both a view and a way forward to address the resourcing constraints of the Secretariat and the motions referred to our Committee by State Executive on Friday 24 September 2021.

LGOC is mindful that there is now less than two weeks before nominations open with the NSW Electoral Commission. There is now insufficient time for the Secretariat to conduct its standard procedures and processes for any outstanding local government matter or local government area yet to be resolved.

LGOC also recognises the NSW Division and the Secretariat must now focus more time and resources on its preparations for the upcoming Federal Election in support of the re-election of the Prime Minister and the Government.

However, it is just as important that the Liberal Party does not vacate the field in areas where we have previously contested in local government elections or where there is a benefit to establish some local representation.

Our supporters deserve this and there is much more to be gained by contesting in more local government areas and not less.

You will note that a number of Members of Parliament are beginning to support this proposition and it is the view of the Local Government Oversight Committee that on this occasion due to these special circumstances, State Executive favourably considers our recommendations as a matter of urgency.


I will also shortly share a link in Dropbox with the State Director and yourself of each nominee who has been proposed to contest in a number of these local government areas.

Kind regards

Charles Perrottet

Deputy Chair-Local Government Oversight Committee

3 attachments

 **LGOC Recommendations to SE 28 September 2021.pdf**
100K

 **Ltr-PPoulos-WaggaCouncil-27.9.21 (1).pdf**
492K

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ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS

FROM: State President

DATE: 15 October 2021

RE: Local Government Elections—selection of candidates for unwinnable positions where there are multiple nominations (Canterbury-Bankstown), endorsement of candidates (Canterbury-Bankstown, Ryde, Camden & The Hills), waiver to run in Port Stephens. Federal Elections – close nominations in Whitlam.

SELECTION OF CANDIDATES FOR UNWINNABLE POSITIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*
 - (b) *vacancies in elected office for local government at a general election or casual vacancies,*

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.
- (2) *In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.*

There have been multiple nominations for unwinnable position 2 in the Roselands Ward of the Canterbury-Bankstown LGA. They are MD Anamul Haque and Joseph Tannous. Please note this is not the same Joseph Tannous that used to be a member of State Executive. There is insufficient time for normal selection processes to be followed. Consultation with the relevant LGC and the lead candidate, Sazeda Akter, has occurred and the preference is for State Executive to select Joseph Tannous. A motion to this effect follows:

MOTION 1: *Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Canterbury-Bankstown that:*

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 2 in Roselands Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 2 in Roselands Ward and select Joseph Tannous as the candidate to contest this position.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

On 3 June 2021 State Executive adopted, via electronic ballot, a truncated nomination and selection process for local government areas (LGAs) that it had already resolved to contest. Part of this amended process was that the nomination review process would effectively be conducted by the State Director or his nominee and that for single nominations, for both winnable and unwinnable positions, the endorsement proceed straight to State Executive for consideration. The truncated process for contested positions set out that the selection would be conducted via an online ballot and that once a result for this was known, that the endorsement for the full ticket would come before State Executive.

The State Director has now completed the nomination review process and online selection process for Canterbury-Bankstown LGA and has determined that all of the nominees for these LGAs are fit and proper persons for presentation to State Executive for endorsement. As such the State Director is now in a position to put forward for State Executive's consideration the following members for endorsement including a motion to this effect following:

MOTION 2: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motion 1 above carrying, State Executive RESOLVES to endorse the following members as the Division's candidates for the 2021 Canterbury-Bankstown local government elections in the following positions and further RESOLVES, pursuant to clause 21.1.2(1)(b) of the Constitution, to close nominations for unwinnable positions in these 2021 Canterbury-Bankstown local government elections at 5:00pm on 15 October 2021:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Philip Madirazza	Yes
	2	Georgios Lambropoulos	No
	3	Yali Shi	No
Revesby	1	Charbel Abouraad	Yes
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – RYDE CITY

State Executive has previously resolved to endorse a number of candidates to contest the 2021 local government elections in the Ryde City LGA. Unfortunately, one of the candidates, George Tsingolis, has withdrawn his nomination for unwinnable position 4 in East Ward.

The LGC and the lead candidate, Jordan Lane, have put forward another candidate, Christopher Galloway, to contest this position. A nomination review has been conducted on Mr Galloway and the State Director has determined he is a fit and proper person for State Executive's consideration for endorsement. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 3: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Ryde City that:

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 4 in East Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 4 in East Ward and select and endorse Christopher Galloway as the candidate to contest this position.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CAMDEN

State Executive has previously resolved to endorse a number of candidates to contest the 2021 local government elections in the Camden LGA. Unfortunately, one of the candidates, Sarah von Wartburg, has withdrawn her nomination for unwinnable position 3 in South Ward.

The LGC and the lead candidate, Russell Zammit, have put forward another candidate, Anna Younan, to contest position 2 in South Ward, with John Smith, who was previously endorsed for this position, now moving to position 3 in South Ward. A nomination review has been conducted on Ms Younan and the State Director has determined she is a fit and proper person for State Executive’s consideration for endorsement. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 4: *Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Camden that:*

- (1) *there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 3 in South Ward as provided otherwise under the Constitution; and*
- (2) *further resolves to dispense with the selection process with respect to the 2021 local government elections for position 3 in South Ward and select and endorse Anna Younan as the candidate to contest position 2 in South Ward and John Smith as the candidate to contest position 3 in South Ward.*

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – THE HILLS

The State President has been advised that there is now an agreed position with respect to selecting and endorsing candidates to contest the 2021 local government elections in The Hills local government area. The proposed ticket is as follows:

Ward	Position	Nominee
N/A	Mayor	Peter Gangemi
Central Ward	1	Jessica Brazier
Central Ward	2	Mark Hodges
Central Ward	3	Jagmohan Dhaliwal
East Ward	1	Jerome Cox
East Ward	2	Reena Jethi
East Ward	3	Raylee Hodges
North Ward	1	Peter Gangemi
North Ward	2	Virginia Ellis
North Ward	3	Mitchell Blue
North Ward	4	Rory O’Connor
West Ward	1	Rosemary Boneham
West Ward	2	Frank De Masi
West Ward	3	Terisa Murray

It should be noted that proposed candidates Raylee Hodges and Rory O’Conner above have not been

vetted. It should also be noted that other candidates listed above, who did not originally nominate for these positions, will need to confirm in writing with the State Director, that they happy for their nominations to be amended to include the ward and/or position listed above.

Should State Executive agree to this proposed ticket then a motion to this effect follows:

MOTION 5: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of The Hills that:

- (3) there is now insufficient time remaining prior to the 2021 local government elections, to select candidates for this local government area as provided otherwise under the Constitution; and
- (4) further resolves to dispense with the selection process with respect to the 2021 local government elections for The Hills local government area and select and endorse the following candidates

Ward	Position	Nominee
N/A	Mayor	Peter Gangemi
Central Ward	1	Jessica Brazier
Central Ward	2	Mark Hodges
Central Ward	3	Jagmohan Dhaliwal
East Ward	1	Jerome Cox
East Ward	2	Reena Jethi
East Ward	3	Raylee Hodges
North Ward	1	Peter Gangemi
North Ward	2	Virginia Ellis
North Ward	3	Mitchell Blue
North Ward	4	Rory O'Connor
West Ward	1	Rosemary Boneham
West Ward	2	Frank De Masi
West Ward	3	Terisa Murray

WAIVER REQUEST – GILBERT WHITTON

The State Director has received a request from Gilbert Whitton, seeking a waiver from State Executive so that he may run as an independent candidate in the 2021 Port Stephens local government elections in East Ward. This request is not supported by the Port Stephens LGC. Attached at **Annexure A** is a copy of an email from Mr Whitton requesting the waiver and from the LGC not supporting the waiver request

Clause 3.11.1, row 2 of the Constitution sets that a person’s membership of the Division automatically terminates:

If a Member who is not a candidate endorsed by the Organisation for election to an office without the prior written permission of State Executive:

- (1) *nominates or publicly announces or causes or permits to be announced that Member’s proposed nomination as a candidate for election to that office when there is a candidate endorsed by the Organisation for election to that office or State Executive has resolved to call for nominations for endorsement by the Organisation for election to that office; or*
- (2) *claims to be an endorsed candidate of the Organisation for election to any office.*

Should State Executive be willing to grant a waiver to Mr Whitton to nominate as independent in the upcoming Port Stephens local government elections, then a motion to this effect follows:

MOTION 6: Pursuant to clause 3.11.1 (row 2) of the Constitution, State Executive RESOLVES to grant permission to Gilbert Whitton so that he may nominate to run as an independent candidate in the 2021 Port Stephens local government elections.

CLOSING NOMINATIONS IN THE FEDERAL DIVISION OF WHITLAM

By electronic ballot carried on 3 May 2021, State Executive resolved to contest the next Federal election in the electoral division of Whitlam, with nominations opening on 3 May 2021 and closing on the recommendation of the State Director.

The State Director has now received a nomination for selection from a suitably qualified person to contest this electoral division on behalf of the Party. The State Director is, therefore, recommending that nominations close for Whitlam as at midday on Tuesday, 19 October 2021 and, consistent with other the eligibility dates for other electoral divisions, that the eligibility date be 6:00pm on Friday, 21 May 2021.

Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 7: Pursuant to clause 21.1.2(1)(b) and (c) of the Constitution, State Executive RESOLVES, with respect to the next Federal election for the electoral division of Whitlam, that the close of nominations date be 12:00pm on Tuesday, 19 October 2021 and that the eligibility date be 6:00pm on Friday, 21 May 2021.

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by _____ by **9:00am, Monday, 18 October 2021**. Time to be according to the Secretariat mail server.

Simon McInnes

From: TorpanInternational
Sent: Thursday, 9 September 2021 12:59 PM
To: Dorina Ilievska
Subject: Re: Nominations for Local Government - Close at 5:00pm today

I live in East Ward and that is my intention.

Gill
Sent from my iPad

On 9 Sep 2021, at 12:47, Dorina Ilievska wrote:

Hi Gill

Thank you for confirming. We have not yet put your request to the State Executive, as it was a bit premature to do so back when we first corresponded, but we will do so now.

Can you please confirm which Ward in Port Stephens Council you wish to run in? I ask as the Party is only endorsing candidates for East Ward.

I look forward to hearing from you.

Kind regards
Dorina

DORINA ILIEVSKA
Party Affairs Manager
E [T 02 8356 0300](mailto:dorina@nsw.liberal.org.au)
M Locked Bag 2, Kings Cross, NSW 1340 **W** www.nsw.liberal.org.au

From: TorpanInternational
Sent: Thursday, 9 September 2021 12:24 PM
To: Dorina Ilievska
Subject: Re: Nominations for Local Government - Close at 5:00pm today

I do propose to run as an independent

Sorry, i haven't heard any reply from the local branch or state executive

Gill Whitton
Sent from my iPad

On 9 Sep 2021, at 09:16, Dorina Ilievska wrote:

Dear Gilbert

I hope this email finds you well.

Annexure A - Electronic Ballot 20211015

With the 2021 local government elections now approaching in December, and the Party having endorsed candidates for that election, I have been reviewing some outstanding matters and came across the below emails we exchanged back in March 2020.

I wanted to confirm whether you are still intending to run as an independent in the Port Stephens Council elections, and if so, that you still wish to seek the State Executive's permission to do so. I apologise for not having raised this with you sooner, unfortunately with the ongoing impacts on in person gatherings caused by the pandemic over the last 18 months, we have had to modify our usual processes for candidate selection for local government have experienced delays across all areas as a result.

I look forward to hearing from you.

Kind regards
Dorina

DORINA ILIEVSKA

Party Affairs Manager

E torpan@nswliberal.org.au **T** 02 8356 0300

M Locked Bag 2, Kings Cross, NSW 1340 **W** www.nsw.liberal.org.au

From: TorpanInInternational [[mailto:](mailto:torpan@nswliberal.org.au)

Sent: Tuesday, 10 March 2020 6:24 PM

To: Nominations

Subject: Re: Nominations for Local Government - Close at 5:00pm today

Thanks , please , I seek the State Council , dispensation , otherwise I'll forget it.

No doubt , i would advertise my small 2nd preferences to Liberal , if the State Council , agreed.

Gill Whitton

Sent from my iPad

On 10 Mar 2020, at 17:46, Nominations

wrote:

Dear Gilbert

Thank you for your email.

You will not need to resign provided you obtain written dispensation from the Party's State Executive prior to nominating or publicly announcing your intention to nominate as an independent.

However, if State Executive declines to grant you dispensation, and you nominate regardless, then your membership of the Party will be automatically terminated. It is also relevant to note that if you resign and run against any

Annexure A - Electronic Ballot 20211015

candidates endorsed by the Party without prior dispensation from the Executive, you will become ineligible to re-join the Party for 3 years.

One final factor that you may wish to consider, is that if you do remain a member and end up running as an independent, you will be required to disclose your political party affiliation on your nomination forms.

I trust this answers your queries.

Kind regards

Dorina

DORINA ILIEVSKA

Party Affairs Manager

E torpan@liberal.nsw.gov.au **T** 02 8356 0300

M Locked Bag 2, Kings Cross, NSW 1340 **W** www.nsw.liberal.org.au

<image001.jpg>

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From: TorpanInInternational

Sent: 8 March 2020 8:07 PM

To: Nominations

Subject: Re: Nominations for Local Government - Close at 5:00pm today

As one who is a former local government executive and a member of the Pt Stephens Liberal Party , could someone let me know whether I require to resign , as I plan stand at the council elections as an independent

From the cost to be an endorsed candidate would be out of my financial scope.

Simon McInnes

From: Jaimie Abbott
Sent: Thursday, 30 September 2021 7:44 AM
To: Dorina Ilievska
Subject: Gill Whitton

Hi Dorina,

Our LGC met this week to discuss Gill Whitton running in East Ward in Port Stephens.

We do not support him running on our council ticket, he has had a long time from when nominations opened to put his hand up this year. It is only because you reached out to him did he make his intentions known at all.

We also don't endorse him running as an independent as we need all hands on deck for our Liberal campaign.

Jaimie Abbott
President - LGC

SE Electronic Ballot - 20211015 - Local Govt, Federal Elections

Name	Motions	1	2	3	4	5	6	7	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	Y	Y	Y	A	Y	Y	Email
Penny George	Yes	Y	Y	Y	Y	N	N	Y	Email
Christopher Rath	Yes	N	N	Y	Y	Y	N	Y	Email
Tobias Lehmann	Yes	Y	Y	Y	Y	N	N	Y	Text (SM)
Aileen MacDonald	Yes	N	N	Y	Y	Y	N	Y	Email
Mary-Lou Jarvis	Yes	N	N	Y	Y	Y	N	Y	Email
James Wallace	Yes	N		Y	Y	Y	N	Y	Email
Matthew Camenzuli	Yes	N	N	Y	Y	Y	N	Y	Email
Matthew Hana	Yes	N	N	Y	Y	Y	N	Y	Email
Chantelle Fornari-Orsmond	Yes	Y	Y	Y	Y	N	N	Y	Email
Martin Zaiter	Yes	N	N	Y	Y	Y	N	Y	Email
Sally Betts	Yes	N	N	Y	Y	Y	N	Y	Email
Zac Miles	Yes	Y	Y	Y	Y	N	N	Y	WhatsApp (SM)
Michelle Byrne	Yes	Y	Y	Y	Y	N	Y	Y	Email
Christian Ellis	Yes	N	N	Y	Y	A	N	Y	Email
Jacqui Munro	Yes	N		Y	Y	Y	N	Y	Email
Michelle Bishop	Yes	N	N	Y	Y	Y	N	Y	Email
Damien Jones	Yes	Y	Y	Y	Y	N	N	Y	Email
Patrick Doherty	Yes	N	N	Y	Y	Y	N		Email
Mark Croxford	Yes	N	N	Y	Y	Y	N	Y	Email
Anna Chandler	Yes								
Jemma Tribe	Yes	Y	Y	Y	Y	N	N	Y	Email
Alexander Dore	Yes	N	N	Y	Y	Y	N	Y	Email
Michael Hughes	Yes	N	N	Y	Y	Y	N	Y	Email
Deyi Wu	Yes	N	N	Y	Y	Y	N	Y	Email
Alex Hawke	Yes	Y	Y	Y	Y	N	N	Y	Email
Mark Coure	Yes	N	N	Y	Y	Y	N	Y	Email
Steven Issa	Yes	N	N	Y	Y	Y	N	Y	Email
Charlie Taylor	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Total - Yes	9	9	27	27	17	2	26	
	Total - No	18	16	0	0	8	25	0	
	Total - Abstain	0	0	0	0	2	0	0	
	Total - No Response	1	3	1	1	1	1	2	
	Voting Pool	28	28	28	28	26	28	28	
	Percentage Requirement	50%	50%	50%	50%	50%	50%	50%	
	Result	Lost	Lost	Carried	Carried	Carried	Lost	Carried	

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 29 October 2021
RE: Close nominations in Willoughby, waiver requests to run as independents in the local government elections, selecting and endorsing a local government ticket for Canterbury-Bankstown.

WILLOUGHBY STATE BY-ELECTION

By electronic ballot adopted 18 October 2021, State Executive resolved, because of the pending resignation of the Hon Gladys Berejiklian MP, to open nominations in the State electoral district of Willoughby and close upon the recommendation of the State Director.

The State Director is now recommending that nominations close at 5:00pm on Tuesday, 2 November 2021. Should State Executive agree to this recommendation then a motion to this effect follows:

MOTION 1: Pursuant to clause 21.1.2(1)(b) and (c) of the Constitution, State Executive RESOLVES to that the close of nominations and eligibility date for any by-election in the State electoral district of Willoughby be 5:00pm on Tuesday, 2 November 2021.

REQUEST TO RUN AS AN INDEPENDENT– DARRYN CAPES-DAVIS

The State Director has received a request from Darryn Capes-Davis requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Mr Capes-Davis advises:

"Good afternoon Mr President,

As per constitutional requirements of the Liberal Party of Australia, New South Wales Division, I request written permission from State Executive to run as an Independent in North Rocks Ward for City of Parramatta Local Government Elections.

Although I have nominated for as a Liberal and understand that deliberations are ongoing at this 11th hour, I make this request now to provide time for State Executive to respond so I have confidence in nominating as an Independent Candidate prior to close of nominations next Wed 3rd Nov, 12pm.

Please can you let me know if you need anything further from myself to facilitate and finalise this request.”

Should State Executive be inclined to grant Mr Capes-Davis’ request, a motion to this effect follows.

MOTION 2: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Mr Darryn Capes-Davis to run as an independent candidate in the 2021 Parramatta local government elections*

REQUEST TO RUN AS AN INDEPENDENT– ROBERT MASHFORD

The State Director has received a request from Robert Mashford requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member’s membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Mr Mashford advises:

“Good evening Director,

As per constitutional requirements of the The Liberal Party of Australia, New South Wales Division, I request written permission from State Executive to run as an Independent candidate for North Rocks Ward in City of Parramatta Local Government Election on 4th December 2021.

I make this request now to provide time for State Executive to respond so I have confidence in nominating as an Independent Candidate prior to close of nominations next Wed 3rd Nov, 12pm.

Please can you let me know if you need anything further from myself to facilitate and finalise this request.”

Should State Executive be inclined to grant Mr Mashford’s request, a motion to this effect follows.

MOTION 3: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Mr Darryn Capes-Davis to run as an independent candidate in the 2021 Parramatta local government elections*

REQUEST TO RUN AS AN INDEPENDENT– MICHELLE BYRNE

The State Director has received a request from Clr Michelle Byrne requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member’s membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections and has endorsed candidates.

Clr Byrne advises:

“Dear State Director and Party President,

I am writing to officially request permission to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021.

It is unfortunate that I find myself in this position. As the current sitting Mayor, I have been deliberately denied the opportunity to put forward my case to 600 local Party members as to why I should again be the endorsed Liberal Mayoral candidate. Hard working local Party members have also been disgracefully denied the opportunity to determine for themselves who is best place to represent them at the next council election.

In good faith, I and other councillors submitted nomination forms. We did this only to find out we had been denied the opportunity to put our case to local Party members - with such preselection being deliberately delayed for months on end and despite a recommendation from the State Director to the State Executive meeting on 24 September 2021 to proceed with a preselection of local Party members to be held before 18 October 2021.

The end result has been that local Party members have been bypassed so that un-named people can cherry pick who they want as candidates, candidates which include individuals who never actually nominated for positions "assigned" by State Executive or at all.

What has taken place is nothing short of disgraceful and was entirely preventable and has also damaged the Liberal brand within the local community.

As one of, if not the best run Councils in NSW, and the only Council to have had a swing to the Party in 2017, I am at a loss as to why most sitting councillors would be wiped out, including the first popularly elected female Mayor.

I have been contacted by many Party members and community members who are outraged that I and my current team of councillors would be treated in this manner and replaced by people who are largely unknown to the community and who have not been subject to scrutiny by local Party members.

The argument that the Party was out of time to hold a preselection at the time the State Executive ballot opened on 15 October 2021 is farcical given that under the Constitution only 7 days' notice is required to hold a preselection. Additionally, this period can also be abridged under the Constitution to as little as two days' notice.

For a Party that claims it needs more females in politics and as the current female popularly elected Liberal Mayor, I have never felt less supported as I do right now. I feel that the Party has done a disservice not only to myself but also to women generally within the Party.

As a current Liberal Mayor who has been denied the opportunity of presenting my case to a selection committee of local Party members; it is only fair that I be given the opportunity to run as an independent against the Party - an opportunity that has been given to other non-endorsed Party members such as Councillor Nathan Zamprogno in Hawkesbury - and be allowed to directly put to the Hills Liberal voting community as to why I should remain the Mayor the Hills.

Thank you for considering my request."

Should State Executive be inclined to grant Clr Byrne's request, a motion to this effect follows.

MOTION 4: State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Clr Michelle Byrne to run as an independent candidate in the 2021 The Hills local government elections

REQUEST TO RUN AS AN INDEPENDENT– SAMUEL UNO

The State Executive has received a request from Clr Samuel Uno requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections and has endorsed candidates.

Clr Uno advises:

"Dear Simon and Chris,

Following on from Mayor Michelle Byrne's well articulated email, I too am officially requesting permission to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021.

Both of you know my long standing commitment to our party over the last 20 years of membership, and have an unwavering belief in the core values of our party. Unfortunately the our Party President and State Executive's actions have contradicted one of these core values to deny our grass root members the opportunity to select their own candidates:

"In the separation and distribution of powers as the best protection for the democratic process"

If granted permission I commit to upholding our party's values and will work constructively with the endorsed Liberal Ticket."

Should State Executive be inclined to grant Clr Uno's request, a motion to this effect follows.

MOTION 5: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Clr Samuel Uno to run as an independent candidate in the 2021 The Hills local government elections*

SELECTION OF CANDIDATES FOR UNWINNABLE POSITIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*
 - (b) *vacancies in elected office for local government at a general election or casual vacancies,*

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

- (2) *In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.*

As advised in a previous electronic ballot dated 15 October 2021, there have been multiple nominations for unwinnable position 2 in the Roselands Ward of the Canterbury-Bankstown LGA. They are MD Anamul Haque and Joseph Tannous (not the same Joseph Tannous that used to be a member of State Executive). There is insufficient time for normal selection processes to be followed. Consultation with the relevant LGC and the lead candidate, Sazeda Akter, has occurred and the preference is for State Executive to select Joseph Tannous.

Even though State Executive has previously resolved not select Mr Tannous, the State Director has now been advised that members of State Executive will support the selection of Mr Tannous. A motion to this effect follows:

MOTION 6: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES for the local government area of Canterbury-Bankstown that:

- (1) there is now insufficient time remaining prior to the 2021 local government elections, to select a candidate for position 2 in Roselands Ward as provided otherwise under the Constitution; and
- (2) further resolves to dispense with the selection process with respect to the 2021 local government elections for position 2 in Roselands Ward and select Joseph Tannous as the candidate to contest this position.

NON-ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

As noted above, the State Director has been advised that Mr Tannous is an acceptable candidate to be selected at position 2 in Roselands Ward, however, he has been advised that the rest of the ticket for Canterbury-Bankstown, as selected by selectors may not be acceptable.

State Executive had previously considered a ticket of candidates for Canterbury-Bankstown that had been chosen at a Selection Committee meeting, including selecting Mr Tannous themselves, however, the motion considered by electronic ballot dated 15 October 2021 was contingent upon a motion to select Mr Tannous carrying. Because the motion to select Mr Tannous on 15 October 2021 failed, the motion to consider the full ticket on 15 October 2021 immediately became null and void.

As such, if State Executive wishes consider an alternative ticket, it must first select Mr Tannous (carry motion 6 above) and secondly, reject the candidates selected at the Selection Committee meeting. A motion to this effect follows.

MOTION 7: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motion 6 above carrying, State Executive RESOLVES to NOT endorse the following members as the Division's candidates for the 2021 Canterbury-Bankstown local government elections in the following positions:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Philip Madirazza	Yes
	2	Georgios Lambropoulos	No
	3	Yali Shi	No
Revesby	1	Charbel Abouraad	Yes

Ward	Ticket Position	Nominees	Winnable?
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

ENDORSEMENT OF LOCAL GOVERNMENT CANDIDATES – CANTERBURY-BANKSTOWN

As noted above, the State Director has been advised that there is a proposed ticket for Canterbury-Bankstown that may be acceptable to members of State Executive. Below is a motion to endorse this ticket, however, please note that this motion is contingent upon both motions 6 and 7 above carrying:

MOTION 8: Pursuant to clause 21.6.1(1) of the Constitution, and subject to motions 6 and 7 above carrying, State Executive RESOLVES to endorse the following members as the Division’s candidates for the 2021 Canterbury-Bankstown local government elections in the following positions and further RESOLVES, pursuant to clause 21.1.2(1)(b) of the Constitution, to close nominations for unwinnable positions in these 2021 Canterbury-Bankstown local government elections at 5:00pm on 15 October 2021:

Ward	Ticket Position	Nominees	Winnable?
Bankstown	1	George Zakhia	Yes
	2	Stephanie Tran	No
	3	ANM Masum	No
Bass Hill	1	Charbel Ishac	Yes
	2	Nicholas Gad	No
	3	Fahmina Akter Hoq	No
Canterbury	1	Jessie Nguyen	Yes
	2	Jeff Tran	No
	3	Brendan Chow	No
Revesby	1	Charbel Abouraad	Yes
	2	Andrew Mortimer	No
	3	Mary-Therese Sukkar	No
Roselands	1	Sazeda Akter	Yes
	2	Joseph Tannous	No
	3	Anthony McKinley	No

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by **by 9:00am, Monday, 1 November 2021.** Time to be according to the Secretariat mail server.

SE Electronic Ballot - 20211029 - Close Willoughby, Waivers, Canterbury

Name	Motions	1	2	3	4	5	6	7	8	Method/Note
	Able to Vote	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	Y/N/A	
Philip Ruddock	Yes	Y	A	A	A	A	Y	Y	Y	Email
Penny George	Yes	Y	Y	Y	Y	Y		N	N	Email
Christopher Rath	Yes	Y	N	N	N	N	Y	Y	Y	Email
Tobias Lehmann	Yes	Y	Y	Y	Y	Y	N	N	N	Text (SM)
Aileen MacDonald	Yes	Y	A	A	A	A	Y	Y	Y	Email
Mary-Lou Jarvis	Yes	Y	N	N		N	Y	Y	Y	Email
James Wallace	Yes	Y	N	N	N	N	N	Y	Y	Email
Matthew Camenzuli	Yes	Y	N	N	N	N	Y	Y	Y	Email
Matthew Hana	Yes	Y	N	N	A	A	A	Y	Y	Email
Chantelle Fornari-Orsmond	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Martin Zaiter	Yes	Y	A	A	N	N	Y	Y	Y	Email
Sally Betts	Yes	Y	N	N	N	N	Y	Y	Y	Email
Zac Miles	Yes	Y	Y	Y	Y	Y	N	N	N	WhatsApp (SM)
Michelle Byrne	Yes	Y	Y	Y	A	Y	Y	N	F	Email
Christian Ellis	Yes	Y	N	N			Y	Y	Y	Email
Jacqui Munro	Yes	Y	N	N	N	N	Y	Y	Y	Email
Michelle Bishop	Yes									
Damien Jones	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Patrick Doherty	Yes	Y	N	N	N	N	Y	Y	Y	Email
Mark Croxford	Yes	Y	A	A	A	A	A	A	A	Email
Anna Chandler	Yes									
Jemma Tribe	Yes	Y	Y	Y	Y	Y	N	N	N	Email
Alexander Dore	Yes	Y	N	N	N	N	Y	Y	Y	Email
Michael Hughes	Yes	Y					Y	Y	Y	Email
Deyi Wu	Yes	Y	N	N	N	N	Y	Y	Y	Email
Alex Hawke	Yes									
Mark Coure	Yes	Y					Y	Y	Y	Email
Steven Issa	Yes	Y	A	A	N	N	Y	Y	Y	Email
Charlie Taylor	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Teena McQueen	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Total - Yes	25	7	7	6	7	16	17	17	
	Total - No	0	11	11	10	11	6	7	6	
	Total - Abstain	0	5	5	5	4	2	1	1	
	Total - No Response	3	5	5	7	6	4	3	3	
	Voting Pool	28	23	23	23	24	26	27	27	
	Percentage Requirement	50%	50%	50%	50%	50%	50%	50%	50%	
	Result	Carried	Lost	Lost	Lost	Lost	Carried	Carried	Carried	

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 1 November 2021
RE: Waiver requests to run as independents in the local government elections, request to cancel endorsement of candidates in The Hills, waiver to contest preselection for Hughes.

REQUEST TO RUN AS AN INDEPENDENT– CR ELIZABETH RUSSO

The State Director has received a request from Cr Elizabeth Russo requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections.

Cr Russo advises:

"Dear State Director and Party President,

Following on from Madame Mayor, Cr. Dr. Michelle Byrne's well-articulated email who's message I echo, I too formally request permission to run as an independent candidate against the endorsed Liberal Party candidates at the upcoming Local Government elections on 4th December 2021 for The Hills Shire.

I sincerely hope for a favourably response in a timely manner."

Should State Executive be inclined to grant Cr Russo's request, a motion to this effect follows.

MOTION 1: State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Cr Elizabeth Russo to run as an independent candidate in the 2021 The Hills local government elections

REQUEST TO RUN AS AN INDEPENDENT– CR BROOKE COLLINS OAM

The State Director has received a request from Cr Brooke Collins OAM requesting prior written permission from State Executive to run as independent candidate in the 2021 The Hills local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 The Hills local government elections.

Cr Collins advises:

"Gentleman,

I can't tell you how saddened I am to be writing this email to you, given the manner in which our preselection process has taken place, however more concerning is, at no time have any of you replied to the various emails sent to your office without even an acknowledgment of our emails and the concerns we have raised, which by the way are extremely serious and concerning given that democratic due process was not afforded the members of our LGC, yet Hornsby was able to conduct a successful preselection in the same time frame as our LGC.

I fully support the Mayor and Deputy Mayor and I too, am officially requesting dispensation to run as an independent against the endorsed Liberal Party candidates at The Hills Shire local government election on 4 December 2021."

Should State Executive be inclined to grant Cr Collins's request, a motion to this effect follows.

MOTION 2: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Cr Brooke Collins OAM to run as an independent candidate in the 2021 The Hills local government elections.*

REQUEST TO RUN AS AN INDEPENDENT– MS GEORGINA VALJAK

The State Director has received a request from Ms Georgina Valjak requesting prior written permission from State Executive to run as independent candidate in the 2021 Parramatta local government elections.

Clause 3.11.1, row 2 of the Constitution sets out that a member's membership will be automatically cease if they nominate for office where there is a candidate for that office endorsed by the Division or the Division has called for nominations to contest that office. The Division has resolved to contest the 2021 Parramatta local government elections.

Ms Valjak advises:

"Dear Chris,

Further to the below email apologies for the message via Bob Dwyer (thanks Bob) as I had some internet issues yesterday. Confirming that if it transpires that my application for preselection as No1 Liberal Candidate in the North Ricks Ward of City of Parramatta is not successful or alternatively if the Liberal Party Head Office decides not to preselect any candidates for the City of Parramatta Local Government elections on 4 December 2021, I would be most grateful if you could kindly confirm your approval by email that I may nominate and participate as an Independent candidate in an Independent Group of Candidates in the North Rocks Ward on 4 December 2021.

Thank you for your assistance."

Should State Executive be inclined to grant Ms Valjak's request, a motion to this effect follows.

MOTION 3: *State Executive RESOLVES, pursuant to clause 3.11.1, row 2 of the Constitution, to grant permission to Ms Georgina Valjak to run as an independent candidate in the 2021 Parramatta local government elections.*

REQUEST TO CANCEL ENDORSEMENT OF CANDIDATES ENDORSED FOR THE 2021 THE HILLS LOCAL GOVERNMENT ELECTIONS

The Secretary of The Hills LGC has sent to the State President and the State Director minutes, notice and an attendees list for a meeting of the Committee of The Hills LGC that took place on 31 October 2021 at which the following motion was passed:

The Hills LGC Committee requests that State Executive, pursuant to section 21.6.2(1)(A) of the Constitution of the Liberal Party of Australia (NSW Division) cancel the endorsement of Liberal candidates for election to office in the 2021 Hills Shire Council election.

Clause 21.6.2 of the Constitution states:

- (1) *State Executive may cancel any selection or endorsement of a Liberal candidate for election to office in Federal, State or local government, without giving reasons and call for nominations either on its own motion or if:
 - (a) *it is requested to do so by the members or the Committee of the relevant FEC, SEC or LGC or the Committee of the relevant FEB or FEC;*
 - (b) *time or circumstance, in the opinion of State Executive, make it impracticable to hold a meeting of the members or Committee of the relevant FEC, SEC or LGC to consider the matter or the Committee of the relevant FEB; or*
 - (c) *there is no relevant FEC, FEB, SEC, or LGC.**
- (2) *State Executive may cancel a selection or endorsement only if each member of State Executive is given notice in writing that a motion to cancel the selection or endorsement will be put at a meeting of State Executive and with respect to that motion State Executive follows the procedural fairness provisions in Appendix E.*

Should State Executive be inclined to support the request of The Hills LGC Committee, a motion to this effect follows.

MOTION 4: *State Executive RESOLVES to consider at a future meeting, a motion to cancel the endorsement of Liberal candidates for election to office in the 2021 Hills Shire Council election pursuant to clause 21.6.2(1)(a) of the Constitution, and that with respect to that motion, State Executive follows the procedural fairness provisions in Appendix E.*

ENDORSEMENT OF ADDITIONAL LIBERAL CANDIDATES FOR THE HILLS SHIRE LOCAL GOVERNMENT ELECTIONS

Clause 21.6.4 of the Constitution allows State Executive to modify or dispense with normal selection procedures if, in the opinion of State Executive, there is insufficient time for the selection of candidates as otherwise provided.

Clause 21.6.4 relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*

- (b) vacancies in elected office for local government at a general election or casual vacancies,

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

- (2) In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.

Section 308A of the Local Government Act 1993 (NSW) (the Act) provides that:

- (1) This section applies to an election in which there are 2 or more councillors to be elected.
- (2) Two or more candidates duly proposed for nomination for election may, before noon on the nomination day prescribed by the regulations, claim to have their names included in a group on the ballot-papers and in the order specified in the claim. The claim is to be lodged with the returning officer.
- (3) A claim under subsection (2) may also include a request for a group voting square for the group to appear on the ballot-papers to be used in the election concerned, but only if—
- (a) in the case of an area not divided into wards--the number of candidates in the group on the nomination day prescribed by the regulations is at least half the number of candidates to be elected, or
- (b) in the case of an area divided into wards--**there are at least as many candidates in the group** on the nomination day prescribed by the regulations as there are candidates to be elected.

(emphasis added)

In light of public commentary that at least two candidates are said to be considering withdrawing their nominations for the Hills Shire Council, it is proposed that the following additional candidates are added to the Wards at risk, as is allowed for under s308A of the Act, to ensure that, in the circumstance of any candidate withdrawal or failure or inability to lodge their nomination within the requisite timeframe, the Liberal Party will have a complete ticket in each Ward and as such able to run above the line in a Group.

Those candidates who are presently endorsed in the Wards at risk, but have not yet completed their nomination forms as required by the NSW Electoral Commission, must take urgent steps to ensure that their nomination forms are lodged, and documentation provided to the Secretariat, so as to ensure that the Secretariat has sufficient time in which to finalise and formally lodge their nomination.

MOTION 5: Pursuant to clause 21.6.4(1) of the Constitution, State Executive RESOLVES:

1. That if candidates in the Hills Shire Local Government Area have not submitted their candidate registration with the NSW Electoral Commission by 6.00pm, Tuesday, 2 November 2021 then the State Director will have insufficient time in which to finalise and formally lodge the candidate's nomination. The State Director is to inform all candidates for the Hills Shire Local Government Area of this requirement by 12.00 noon, Tuesday, 2 November 2021; and
2. To dispense with the selection process with respect to the 2021 local government elections for this area and endorse the following additional candidates:

Council	Ward	Ticket Position	Nominees	Winnable?
The Hills Shire Council	West	4	Mike Thomas	N
	West	5	Jill Dyball	N
	East	4	Alan Haselden	N

In the event that the earlier endorsed candidates do not complete the requisite nomination or registration forms by the above-stipulated deadline, then the additional candidates would move up the ticket.

WAIVER REQUEST – MS JENNY WARE

The State Director has received a request from Ms Jenny Ware who wishes to nominate as a candidate for preselection for Hughes at the next federal election.

Ms Ware was accepted into the GyMEA Yowie Bay Branch at its meeting on 31 May 2021. This means that she will not have been a continuous financial member for 6 months until 30 November 2021 and, therefore, does not currently meet the minimum membership requirements to be eligible to nominate. However, State Executive can waive this requirement if it considers there are exceptional circumstances for doing so. Clause 21.2.1 of the Constitution stipulates that:

- (1) *A person may nominate for endorsement as the Liberal candidate for election to an office in Federal, State or local government only if, as at the close of nominations for endorsement as the Liberal candidate, that person:*
 - (a) *is a financial member of the Organisation; and*
 - (b) *has continuously been a financial member of the Organisation for at least six months immediately preceding the close of nominations, otherwise the nomination is of no effect.*

- (2) *Despite subclause 21.2.1(1) if State Executive determines there are exceptional circumstances justifying the waiving of the requirement in subclause 21.2.1(1)(b) with respect to the eligibility of a particular member of the Organisation to nominate for endorsement, State Executive may waive that requirement by motion of not less than 60% of those present and voting at the meeting of State Executive. A decision to issue a waiver in accordance with this subclause must be made by State Executive before the close of nominations for the election the subject of the endorsement.*

Nominations to be a Liberal endorsed candidate for Hughes opened at 9:00am on Monday, 1 November 2021. Ms Ware has sent the State Director a letter, which is included at **Annexure A**.

Should State Executive be inclined to grant Ms Ware's request, a motion to this effect follows.

MOTION 6: *State Executive RESOLVES by a motion of 60%, that exceptional circumstances exist justifying a waiver of the 6-month membership requirement in clause 21.2.1(1) of the Constitution with respect to the nomination of Ms Jenny Ware for selection as a Liberal candidate for Hughes at the next federal election.*

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by _____ by **10:00am, Tuesday 2 November 2021**. Time to be according to the Secretariat mail server.

Merry Christmas and Local Government Update

Peter Poulos (LGOC)

Tue, Dec 24, 2019 at 8:46 AM

Reply-To: "Peter Poulos (LGOC)"

To: [REDACTED]

[View this email in your browser](#)

 Local Government Oversight Committee - Peter Poulos, Chair

Dear [REDACTED]

I would like to thank the State Council Delegates who elected me to the **Local Government Oversight Committee (LGOC)**.

I am very grateful for this privilege and understand that there is much work to be done. I am here to serve you.

Together we can achieve great things for our Party in Local Government.

Similarly, I extend my appreciation to my colleagues who recently elected me as Chair.

I look forward to working with them and acknowledge the efforts of the outgoing Chair, Jeff Egan and thank him for his service.

I can advise that **Charles Perrottet was elected Deputy Chair and Dallas McInerney will serve as Secretary**. I congratulate them both on their elevation into these roles.

I also acknowledge our other Committee Members who include Harry Stutchbury, Karen Howard and Aaron Henry.

Next year will be an exceptionally busy period for those involved in Local Government.

The 2020 NSW Local Government Elections are scheduled for

Saturday 12 September 2020.

To recap, the LGOC is responsible for making recommendations to your State Executive on matters such as whether we contest as Liberals in certain Local Government Areas. Amongst other things we consider are timetables for pre-selections and as Chair I serve on the Nomination Review Committee (NRC) for all Candidates.

Last Tuesday, both the Deputy Chair and I met with the State Director and Deputy State Director to be briefed on issues pertinent to next year's Local Government Elections. I look forward to our ongoing discussions with the Secretariat.

We plan to convene a meeting of the Local Government Oversight Committee on Monday 6 January 2020 and we will meet as often as required to undertake our duties accordingly.

Early next year, the Deputy Chair and I are planning to host a networking drinks event for all our Councillors, Local Government Conferences and interested members. Stay tune for further details.

I believe in Local Government and recognise the fantastic efforts of our Councillors who serve their communities. Our Councillors often reinforce the effectiveness of grass roots advocacy when many move on to become Members of Parliament.

Local Government is a great platform to groom our next generation of leaders.

That is why I invite you to start thinking now about the calibre, expertise and the level of diversity within your Local Government Teams in anticipation of the 2020 Election.

For this reason I am eager to encourage younger members amongst our ranks to pursue their political journey into Local Government.

Most importantly I especially would like to see more Liberal Women elected into Local Government. Ideally this will mean more

women preselected into winnable positions as our current level of female representation of 22% is too low.

Regretfully, NSW is in a sombre mood. Many of our communities have been devastated by bushfires and severely impacted by the drought. The loss of life, property damage and environmental degradation cannot be overstated.

All of us will need to play a role to assist in the rebuild and restoration of these communities. Our Liberal Councillors will continue to provide a strong local voice for this purpose.

I extend to you and your family my best wishes for Christmas and 2020. As always I appreciate your feedback and can be contacted on

Kind regards
Peter Poulos

Members of the Local Government Oversight Committee: Charles Perrottet (Deputy Chair), Dallas McInerney (Secretary), Harry Stutchbury, Jeff Egan, Karen Howard and Aaron Henry.

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Authorised by Peter Poulos, Chair, Local Government Oversight Committee.

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- (a) the creation of a casual vacancy in the relevant parliamentary office; and
- (b) the resignation, or cancellation of selection or endorsement, of a previously selected or endorsed Liberal candidate for the relevant parliamentary office,

whichever is the later to occur.

**21.6.4 Urgent
Endorsement
Procedures for
Senate,
Legislative
Council and
Local
Government**

(1) If, with respect to:

(a) vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and

(b) vacancies in elected office for local government at a general election or casual vacancies,

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

(2) In the case of vacancies in office for local government, before exercising the power in this clause State Executive must consult with the relevant LGC.

**21.6.5 Local Bodies not
functioning**

If in any Federal or State electorate:

- (1) there is no FEC, FEB, or SEC (as the case may be); or
- (2) all the Branches that are allocated to the FEC or SEC fail, or the FEB fails, to elect members of a Selection Committee within a reasonable time after request by State Executive,

State Executive may endorse a member of the Organisation as the Division's candidate, but State Executive must:

- (3) confer with the Committee or the members of the FEC or SEC (if any), or the Committee of the FEB (if any); and

ELECTRONIC BALLOT



TO: STATE EXECUTIVE MEMBERS
FROM: State President
DATE: 27 December 2022
RE: Endorsing a ticket for the Legislative Council

ENDORISING A TICKET FOR THE LEGISLATIVE COUNCIL

Cl. 21.1.1(1) of the Constitution stipulates that, for every federal, state or local government election, State Executive must decide which offices the Division will contest. Cl. 21.1.3(1), 21.1.3(4) and 21.1.4(1) further stipulate that, if State Executive decides to contest an office in federal, state or local government, it must, amongst other things:

- (a) develop and approve a timetable for the preselection of a candidate in each Federal, State or local office (as applicable) that the State Executive has decided will be contested;
- (b) by public advertisement seek from members of the Organisation nominations for endorsement as the Liberal candidate for that office;
- (c) determine and disclose the dates for the opening and closing of nominations, the close of rolls and the close of challenges to rolls;
- (d) determine and approve a date for the week that Nomination Review Committee meetings will be held;
- (e) determine the date as at which the eligibility of a person to be a member of a Selection Committee is to be determined; and
- (f) determine the earliest and latest dates upon which a selection committee meeting is to be held.

With respect to offices for the Legislative Council, cl. 24.4.1 and 24.4.2 further stipulate that:

24.4.1: Liberal endorsed candidates for office in the New South Wales Legislative Council must be presented to the electorate in the following order:

- (1) the number of Provincial Candidates must be allocated positions one through to the number of Provincial Candidates; and*
- (2) Candidates at Large must be allocated positions from one more than the number of Provincial Candidates until the last position on the Liberal ticket.*

24.4.2: (1) The President of the Division, after consultation with the State Parliamentary Leader, must nominate to State Executive a proposed order for the Provincial Candidates.

- (2) State Executive must by motion carried at State Executive approve that order, with or without amendment.*

- (3) *State Executive must then submit to a Selection Committee formed under clause 24.3.1 the proposed order for the Provincial Candidates.*
- (4) *That Selection Committee must by motion approve the proposed order for the Provincial Candidates with or without amendment. The Standing Orders apply in this regard.*
- (5) *Candidates at Large for Winnable Positions are to be presented to the electorate in the order in which they are selected by the same Selection Committee.*
- (6) *Candidates at Large for Unwinnable Positions are to be presented to the electorate in the order in which they are selected by State Executive and will be allocated positions after Candidates at Large for Winnable Positions.*

State Executive will be aware that nominations for all Legislative Assembly seats have now been opened, and in many instances, closed. As such, State Executive must resolve whether the Division will contest the Legislative Council and commence the process of selecting candidates for the following positions:

- Country South West province;
- St George-Illawarra province;
- South West Metropolitan province;
- Central Metropolitan province; and
- Winnable positions 'At Large'.

There are a number of preselections for lower house seats still to be conducted, which are scheduled to take place in late January 2023. Further to this, the Secretariat office closure is now in effect, meaning that if State Executive were to resolve to contest the Legislative Council, no work can be undertaken to publicly advertise this and the opening of nominations to Members, or to begin making arrangements for Nomination Review Committee meetings or Selection Committee meetings to take place, until the office reopens on 3 January 2023. As a consequence, there is limited time remaining to undertake the work to enable preselections to be convened prior to the opening of nominations with the NSW Electoral Commission on 27 February 2023.

For the above reasons, it is the strong view of the State Parliamentary Leader's Representative (in consultation with the State Parliamentary Leader), together with the Leader of the Government in the Legislative Council (Parliamentary Team), which has been expressed to me in writing, that there is insufficient time to select candidates as provided under the Constitution for all four Legislative Council provinces and the winnable 'At Large' positions.

It is also the strong view of the Parliamentary Team that State Executive's urgent endorsement powers under cl. 21.6.4 of the Constitution have been triggered. Cl. 21.6.4(1) relevantly provides that:

- (1) *If, with respect to:*
 - (a) *vacancies in parliamentary office for the Senate or Legislative Council at a general election or casual vacancies; and*
 - (b) *vacancies in elected office for local government at a general election or casual vacancies,*

State Executive decides there is insufficient time for the selection of candidates as provided otherwise in this Constitution, State Executive may by motion modify the

procedures for selection of candidates for those offices or dispense altogether with the procedures and endorse a member of the Organisation as the Division's candidate for those offices.

In the circumstances, a request has been made by the Parliamentary Team that State Executive exercise its powers under cl. 21.6.4 to dispense with and/or modify the selection procedures under the Constitution, to the extent necessary, to endorse candidates for all winnable positions on the Legislative Council ticket, subject to the proposed candidates being found to be fit and proper persons by a Nomination Review Committee (NRC).

The candidates and ticket order proposed by the Parliamentary Team for endorsement is as follows:

- Position 1: Hon Natasha Maclaren-Jones MLC, as the candidate 'At Large' No 1;
- Position 3: Hon Peter Poulos MLC, as the candidate for the St George/Illawarra province;
- Position 4: Ms Susan Carter, as the candidate for the Country South West province;
- Position 6: Hon Chris Rath MLC, as the candidate for the Central Metropolitan province; and
- Position 7: Ms Rachel Merton, as the candidate for the South West Metropolitan province.

It must be noted that, to effect the above, the Hon Natasha Maclaren-Jones MLC would be required to resign her seat in the Legislative Council, thereby creating a casual vacancy that would need to be filled at a joint sitting of the Members of the Legislative Assembly and the Members of the Legislative Council convened for that purpose. It is the strong view of the Parliamentary Team that, in order to maintain stability and cohesion within the Parliamentary Party and the Coalition, it is imperative that the position created by the resignation of Ms Maclaren-Jones not remain vacant and therefore, that this vacancy must be filled in conjunction with the endorsement of the ticket for the 2023 State elections.

The Parliamentary Team therefore contends that, with there being insufficient time to select candidates for the Legislative Council for the 2023 State elections, there is likewise insufficient time to select a candidate to fill the casual vacancy that will be created upon the resignation of Ms Maclaren-Jones. As such, it is contended by the Parliamentary Team that cl. 21.6.4(1) is also triggered with respect to this office, and State Executive is asked to exercise these powers to endorse the Hon Scott Farlow MLC for this vacancy.

It is the strong view of the Parliamentary Team that this will ensure that the Coalition can head into the election with a complete and cohesive team so as to maximise its prospects of success at the 2023 State election.

It should be noted that the position outlined in this ballot is that of the Parliamentary Team and does not necessarily represent my personal view, or the views of the Secretariat team. However, with the Secretariat closure now in effect, and there being no State Executive meetings until mid-January, this ballot is put to State Executive on an urgent basis for its consideration.

Should the State Executive agree with the views and course of action proposed by the Parliamentary Team, then motions to this effect follow:

Motion 1: *That the State Executive RESOLVE, by ordinary motion pursuant to clause 21.1.1(1), to contest the Legislative Council at the 2023 State Election.*

Motion 2: *That the State Executive RESOLVE, by ordinary motion pursuant to clause 21.6.4(1) of the Constitution, that:*

- *For the purposes of ensuring the Coalition has a complete and cohesive team so as to maximise its prospects of success at the 2023 State election, candidates for all vacancies in the Legislative Council must be selected and endorsed urgently;*
- *There is insufficient time before the 2023 State elections for the selection of candidates for the Legislative Council at the general election as provided for in the Constitution;*
- *In order to finalise all vacancies in the Legislative Council before the 2023 State election, there is also insufficient time for the selection of a candidate to fill a casual vacancy as provided for in the Constitution; and*
- *With respect to the 2023 State election for the Legislative Council and any casual vacancy created by the resignation of the Hon Natasha Maclaren-Jones MLC, the preselection procedures in cll. 21.1.3, 21.1.4(1), 24.4.1 and 24.3.1, 24.4.1 and 24.4.2 are dispensed with and/or modified to the extent that, for the following offices at the 2023 state election:*
 - *Legislative Council Country South West province;*
 - *Legislative Council St George-Illawarra province;*
 - *Legislative Council South West Metropolitan province;*
 - *Legislative Council Central Metropolitan province; and*
 - *the Legislative Council At Large for winnable position 1;*

State Executive may, at its discretion, endorse a Member of the Division as the Division's candidate for that office provided that:

- *the Member has submitted a completed nomination in the manner prescribed by State Executive; and*
- *a Nomination Review Committee (NRC) has been convened and has found the Member to be a fit and proper person for presentation to State Executive for endorsement;*

with the endorsement of State Executive taking effect upon the resolution by the relevant NRC that the Member is a fit and proper person."

Motion 3: *That, subject to the carriage of motion 2, and conditional on the resignation of the Hon Natasha Maclaren-Jones MLC from her current seat in the Legislative Council prior to the day for lodgement of nominations as a candidate for election under the Electoral Act 2017, the State Executive RESOLVE by ordinary motion and subject to the procedures regarding nomination and endorsement in motion 2 being met:*

- *the following Members of the Division be endorsed as the Division's candidates for the Legislative Council at the 2023 State election, in the positions and ticket order listed below:*
 - *Position 1: Hon Natasha Maclaren-Jones MLC as the candidate At Large No 1;*
 - *Position 3: Hon Peter Poulos MLC as the candidate for the St George/Illawarra province;*
 - *Position 4: Ms Susan Carter as the candidate for the Country South West province;*
 - *Position 6: Hon Chris Rath MLC as the candidate for the Central Metropolitan province;*
 - *Position 7: Ms Rachel Merton as the candidate for the South West Metropolitan Province; and*
- *the Hon Scott Farlow MLC be endorsed as the Division's nominee under s 22D of the Constitution Act 1902 to fill the casual vacancy created by the said resignation of the Hon*

Natasha Maclaren-Jones MLC, with such endorsements to take effect immediately on the creation of that casual vacancy.

Motion 4: *That State Executive RESOLVE, by ordinary motion pursuant to clause 21.1.3(4)(i) of the Constitution, that for the 2023 State election, only the first Legislative Council 'At Large' position on the joint Coalition ticket is a Winnable Position, and all other 'At Large' positions are Unwinnable Positions.*

State Executive is asked to indicate a position in relation to the proposed motions by email to be received by **by 7:00pm on Tuesday, 27 December 2022.** Time to be according to the Secretariat mail server.



8 February 2022

The Premier, Hon. Dominic Perrottet
52 Martin Place
SYDNEY NSW 2000
(Via email)

Dear Premier,

RE: LEGISLATIVE COUNCIL PC7 – INQUIRY INTO THE HILLS SHIRE COUNCIL

I write to you regarding the Legislative Council PC7 – Inquiry into the Hills Shire Council (Hills Inquiry). At the direction of the Leader of the Government, the Hon Damien Tudehope, I was replaced on the Hills Inquiry by the Hon. Chris Rath, without any consultation whatsoever. To date, I have received no formal notification from the Leader of the Government or yourself concerning this action, which is unprecedented and very disrespectful to me both as a member of the Legislative Council and as a member of the New South Wales Parliamentary Liberal Party.

As you are aware, both the Hon. Chris Rath and the Hon. Aileen MacDonald were members of the New South Wales Liberal Party State Executive at the time the subject matter of the Hills Inquiry was considered by that body. As a result each of these members recused themselves from any participation in the Hills Inquiry due to this obvious conflict of interest, particularly as they could be called as witnesses to the inquiry.

The actions of Mr. Tudehope to appoint Mr. Rath in my stead without any consultation and being fully aware of the conflict of interest, is an appalling abuse of power that reflects poorly upon your government. It was brought to my attention that Mr. Rath reminded the leader of the government, Mr. Tudehope of this conflict of interest but was nonetheless installed against his wishes, as a member of the Hills Inquiry. This action threatens to compromise the Hills Inquiry and undermines the role of the Legislative Council as a house of review.

I call upon you to instruct Mr Tudehope to immediately rectify this clear conflict of interest by removing Mr. Rath from the Hills Inquiry and reinstating me as a member of this Committee forthwith.

Yours sincerely,

The Hon. Lou Amato MLC

cc: The Hon Damien Tudehope
Members, PC7 Hills Inquiry
