## District of Willagee By-Election

**28 November 2009** 



#### **Election Report**



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#### **SUMMARY**

The result of the Willagee by-election was declared by the Returning Officer, Mr Shaun Major, on Monday 7 December 2009. Mr Peter Tinley, one of four candidates contesting the by-election was elected, gaining 53.80% of the first preference votes. The two-party preferred majority was 10.62%, a decrease of 3.97% from the 2008 State general election. This was in relation to the Greens candidate where in 2008 it was in relation to the Liberal candidate.

Early voting (in person) was available for electors at 37 locations throughout Western Australia, interstate and in London. In an evident trend, early voting increased by over 34.8% compared to the last State general election. On polling day, 12 polling places used in the 2008 State general election were again provided in the district in order to remove potential confusion for electors.

In an effort to maximise voter turnout on polling day, a personally addressed Easy Voter Card was delivered to every elector within the district. This carried a map of the district, information on how to cast an early vote, a list of polling places, and instructions on how to fill out the ballot paper and the message that voting in the by-election was compulsory. A copy has been included.

Voter turnout was consistent with recent by-elections, with 77.5% of eligible electors casting a vote.

The total cost of the by-election was \$166,632 excluding GST, and does not include Commission overheads including salaries. It is anticipated that public funding of candidates and parties will cost up to \$27,300.



#### THE WILLAGEE DISTRICT AT A GLANCE

#### **The Willagee Electorate**

Area: 21km<sup>2</sup>

Includes Suburbs/Towns: Alfred Cove\*, Bibra Lake\*, Coolbellup, Hamilton Hill\*, Hilton, Kardinya\*, Melville\*, Myaree\*, O'Connor, Palmyra\*, Samson, Willagee.(\* indicates part).

#### **Map of the Willagee Electorate**





#### **Former Members**

The electorate of Willagee was established in the electoral boundary distribution in 1996. Since its inception as a district of Western Australia the seat has been held by the Labor Party, represented by the following members:

Period	Member	Party Affiliation
2009	Peter Charles Tinley	Labor
1996 – 2009	Alan John Carpenter	Labor

#### **BACKGROUND INFORMATION AND KEY RESULTS**

#### 2009 By-election

The 28 November 2009 by-election was held due to the resignation of the Hon Alan John Carpenter on the 2 October 2009.

#### Willagee By-election Timetable

Issue of the writ	Wednesday 14 October 2009
Nomination for candidates opens	Thursday 15 October 2009
Applications for Early Votes (by post) opens	Tuesday 15 October 2009
Close of nominations - political parties	12 noon Wednesday 21 October 2009
Close of nominations & draw for ballot paper positions	12 noon Thursday 22 October 2009
Electoral district roll close	6.00 pm Thursday 22 October 2009
Early Votes (by post) commences	Tuesday 27 October 2009
Early Votes (in person) opens	Tuesday 3 November 2009
Mobile polling for special institutions and hospitals commences	Monday 23 November 2009
Close of written applications for Early Votes (by post)	6.00 pm Thursday 26 November 2009
Close of Early Votes (in person)	6.00 pm Friday 27 November 2009
Polling Day	8.00 am to 6.00 pm Saturday 28 November 2009
Close of receipt of Early Votes (by post)	9.00 am Thursday 3 December 2009
Return of the writ	Monday 7 December 2009



#### **Recent Results**

#### 2009 By-election - District of Willagee

Enrolled electors	23,082	
Total votes	17,889	
- Formal votes	17,026	95.17%
- Informal votes	863	4.82%

#### First Preference Results

Henri Chew (Christian Democratic Party WA)	1,175	6.90%
Peter Tinley (Australian Labor Party)	9,160	53.80%
Hsien Harper (Greens (WA))	5,162	30.32%
Gerry Georgatos (Independent)	1,529	8.98%

#### Two Candidate Preferred Result

Peter Tinley (Australian Labor Party)	10,316	60.61%
Hsien Harper (Greens (WA))	6,705	39.39%

#### 2008 State General Election – District of Willagee

Enrolled electors	23,414	
Total votes	20,165	86.12%
- Formal votes	18,815	93.30%
- Informal votes	1,350	6.69%

#### First Preference Results

Alan Carpenter (Australian Labor Party)	9,718	51.65%
Robert Delves (Greens (WA))	3,277	17.42%
Matt Taylor (Liberal)	5,820	30.93%

#### Two Candidate Preferred Result

Alan Carpenter (Australian Labor Party)	12,150	64.58%
Matt Taylor (Liberal)	6,664	35.42%



#### 2005 State General Election - District of Willagee

Enrolled electors	25,519	
Total votes	22,944	89.90%
- Formal votes	21,059	91.78%
- Informal votes	1,885	8.21%

#### First Preference Results

Rosemary Lorrimar (Christian Democratic Party)	645	3.06%
Alan Carpenter (Australian Labor Party)	10,897	51.75%
Paul Byrnes (Family First Party)	628	2.98%
Trish Phelan (Independent)	1,003	4.76%
Andrew Sullivan (Independent)	657	3.12%
Bill Cook (One Nation Party)	310	1.47%
Hsien Harper (Greens(WA))	1,839	8.73%
Bob Smith (Liberal)	5,080	24.12%

#### Two Candidate Preferred Result

Alan Carpenter (Australian Labor Party)	13,968	66.38%
Bob Smith (Liberal)	7,073	33.62%

#### **SERVICES TO ELECTORS**

#### Issue of the Writ

The writ for the by-election in the Legislative Assembly electoral district of Willagee was issued by the Speaker of the Legislative Assembly to the Western Australian Electoral Commissioner on Wednesday 14 November 2009.

The writ laid out key dates necessary for the returning officer to arrange the poll to be conducted in the electoral district. These were:

Close of Roll: 6 pm Thursday 22 October 2009
Close of Nominations: 12 noon Thursday 22 October 2009
Polling Day: Saturday 28 November 2009

Return of Writ Not later than Friday 18 December 2009



#### **Advertising**

The Commission placed a number of advertisements in the State-wide newspaper, *The West Australian*, and many in the local newspaper in the district, the *Melville Times*. The advertisements were designed to notify electors of important information leading up to polling day. The advertising undertaken represented that which is required to be provided as specified in the *Electoral Act 1907* and general advertising chosen to be undertaken at the discretion of the Commission.

Type of Advertisement	Newspaper	Date of Publication
Notice of issue of the writ and details	Government Gazette	16 October 2009
	The West Australian	
Notice of Election	The West Australian Melville Times Fremantle Gazette Cockburn City Herald	17 October 2009 20 October 2009 20 October 2009 20 October 2009
Close of enrolment	The West Australian  Melville Times  Fremantle Gazette  Cockburn City Herald	20 October 2009 20 October 2009
Details of Returning Officer, place of declaration of nominations, polling places, declared special institutions, declaration of boundaries of a polling area, list of registered political parties	Government Gazette	23 October 2009
Details of Candidates	The West Australian Melville Times Fremantle Gazette Cockburn City Herald	24 November 2009 27 November 2009 27 November 2009 31 November 2009
Polling place locations	The West Australian  Melville Times  Fremantle Gazette  Cockburn City Herald	24 November 2009 24 November 2009 28 November 2009
Voting is compulsory	Melville Times	28 November 2009
How to vote	Melville Times  Fremantle Gazette	17 November 2009 24 November 2009 17 November 2009
	Cockburn City Herald	<ul><li>24 November 2009</li><li>21 November 2009</li><li>28 November 2009</li></ul>

#### District of Willagee By-election – 28 November 2009



Vote Today	The West Australian	28 November 2009
By-election Results	The West Australian	5 December 2009
	Melville Times	5 December 2009
	Fremantle Gazette	5 December 2009 5 December 2009
	Cockburn City Herald	5 December 2009



#### **Easy Voter Card**

In an effort to maximise elector turnout a personally addressed Easy Voter Card was produced and mailed to every elector within the district in the week commencing 2 November 2009. The messages in the Easy Voter Card reminded electors that voting was compulsory, gave the date and time of polling, provided an address list of all polling places within the district as well as details of how to cast an early vote, how to fill in ballot papers and a map of the district. A sample copy is attached at the end of this report.

#### **Election Information Services – Election Line and Web Site**

From 19 October 2009 – 4 December 2009, the Western Australian Electoral Commission provided a telephone enquiry service to the general public through a direct line and through a 1300 number which had previously been established for elector enquiries. The Election Line was staffed from 8.00 am to 5.00 pm every weekday and from 8.00 am until 6.00 pm on polling day.

A total of 1150 calls were made to this service over the election period. The majority of enquiries related to enrolment status, early voting in person, early voting by post, polling place locations and whether voting was compulsory.

There were enquiries from electors who were unsure if they were in the Willagee district due to some candidate promotional material being sent to areas outside the district.

The Commission web site also contained contact details of the Returning Officer, information regarding the timetable of the by-election, early voting (by post) application forms, details of early voting (in person) locations, polling places, a colour map of polling places within the district and electorate profile. At the conclusion of polling the website was continuously updated with election results.

#### **Electors with Disabilities**

All polling places and early voting (in person) issuing offices were equipped with magnifying sheets, large 2B pencils with a triangular grip and hearing impairment information desk cards.

A video magnifier, hired from the Guide Dogs Association of Western Australia, was set up at the Southern Districts Senior Citizen Centre for the visually impaired electors.

On polling day, 4 of the 13 polling places provided best wheelchair access and parking. At the Southern District Senior Citizen Centre, a drive-in polling place was set up in the car park. Additionally, polling place managers were trained and prepared to issue a vote to electors unable to come into a polling place.

#### **Early Voting (by post)**

Early voting (by post) was available to electors who were unable to visit a polling place on polling day.

Application forms were available for download from the Commission's web site, two AEC divisional offices, 13 Australia Post offices in, and bordering, the electoral district of Willagee and upon request from the election line staff.



Applications for early voting (by post) commenced on Thursday 15 October 2009 and closed on Thursday 26 November 2009. Final postal votes received prior to 9.00 am on Thursday 3 December 2009, bearing a postmark prior to 6.00 pm on 28 November 2009 were accepted, in accordance with the Act.

Processing of all applications was performed centrally at Commission offices. Of the 2,080 postal votes issued, 1,759 were returned. Of those returned 1,648 were deemed to be valid votes.

#### **Early Voting (in person)**

Early voting (in person) was available to Willagee electors from Monday 2 November 2009 at the following offices during normal business hours and concluded at 6.00 pm on Friday 27 November 2009.

#### **Metropolitan Locations**

ARMADALE BOORAGOON FREMANTLE

Armadale Court House Australian Electoral Commission Fremantle Court House

Division of Tangney

JOONDALUP MIDLAND PERTH

Joondalup Court House Midland Court House Western Australian Electoral

Commission

ROCKINGHAM SPEARWOOD

Rockingham Court House Australian Electoral Commission

Division of Fremantle

**Country Locations** 

ALBANY BROOME BUNBURY

Albany Court House Broome Court House Bunbury Court House

BUSSELTON CARNARVON COLLIE

Busselton Court House Carnarvon Court House Collie Court House

DERBY ESPERANCE GERALDTON

Derby Court House Esperance Court House Geraldton Court House

KALGOORLIE KARRATHA KATANNING

Kalgoorlie Court House Karratha Court House Katanning Court House

KUNUNURRA MANDURAH MANJIMUP

Kununurra Court House Manjimup Court House Manjimup Court House

MERREDIN MOORA NARROGIN

Merredin Court House Moora Court House Narrogin Court House

NORTHAM ROEBOURNE SOUTH HEDLAND

Northam Court House Roebourne Court House South Hedland Court House



#### Other Australian States and Territories

There were seven electoral offices in the other Australian States and Territories where Western Australian electors could cast an early vote (in person) before polling day.

AUSTRALIAN CAPITAL VICTORIA NORTHERN TERRITORY
TERRITORY Victorian Electoral Commission Northern Territory Electoral

Elections ACT Commission

QUEENSLAND SOUTH AUSTRALIA TASMANIA

Electoral Commission Queensland State Electoral Office of South Tasmanian Electoral Office

Australia

NEW SOUTH WALES New South Wales Electoral Commission

#### **Overseas**

There was one office outside Australia where Willagee electors could cast an early vote (in person) before polling day, this was the Government of Western Australia European Office in London.

A total of 969 early votes (in person) were made of which 24 were informal. This resulted in 945 formal votes being included in the count.

#### **Hospitals and Special Institutions**

Two mobile teams were allocated to visit eight special institutions and hospitals within the electorate before polling day. The teams were responsible for providing a voting service to electors with in these eight Special Institutions. The Mobile teams marked the names of each elector off a manual paper electoral roll.

The details of the special institutions and hospitals within the district were:

Name	Address
Bethanie Illawong	1 Rodd Place, Hamilton Hill
Braemar Village	24/32 Charsley, Street Willagee
Carrinton Aged Care	27 Ivermey Street, Hamilton Hill
Foley Village	84 Collick Street, Hilton
Hale Hostel	37 Waverley Road, Coolbellup
John Mercer Lodge	19 Laidlaw Street, Hilton
Myaree Gardens	444 Marmion Street, Melville
St Ives Eldercare	15 Cotrill Street, Melville

A total of 233 votes were issued and collected from these locations of which 15 were informal. This resulted in 218 formal votes being included in the count.



#### **Polling Places**

There were 13 polling places provided for electors on polling day. Twelve of these polling places were the same venues which were available to electors at the State general election in 2008. The Melville Primary School, was replaced by the Anglican Church of the Holy Cross Hall due to the unavailability of the school on polling day. The Melville Recreation Centre was not considered suitable and was not considered in the Daylight Saving Referendum earlier in the year.

All polling places were open from 8.00 am to 6.00 pm on polling day. Polling places with the best wheelchair access and parking are indicated.

Polling Place Location	Address	
Anglican Church of the Holy Cross Hall	56 McLean Street, MELVILLE	
Caralee Community School	24 Winnacott Street, WILLAGEE	
Coolbellup Community School	15 Waverley Road, COOLBELLUP	Ġ
East Hamilton Hill Primary School	27 Bradbury Road, HAMILTON HILL	P
Hilton Primary School	21 Rennie Crescent, HILTON	
Melville Senior High School	18 Potts Street, MELVILLE	
North Lake Senior Campus	188 Winterfold Road, KARDINYA	
Palmyra Primary School	60 McKimmie Road, PALMYRA	
Phoenix Primary School	28 Phoenix Road, HAMILTON HILL	
Samson Primary School	22 Lawrence Way, SAMSON	
Southern Districts Senior Citizens Centre	Cnr North Lake Road & Archibald Street, WILLAGEE	<u>હ</u>
Southern Districts Senior Citizens Centre – Drive In	Cnr North Lake Road & Archibald Street, WILLAGEE	<b>⇔</b> &
Southwell Primary School	26 Grandpre Crescent, HAMILTON HILL	

#### **Electoral Rolls**

Paper electoral rolls (Certified Lists) were used in all polling places. Electors who presented themselves to vote at the polling place had their marked off the roll. A total of 59 rolls were printed. When returned, these rolls were electronically scanned to determine who had voted at the polling places.

Electoral rolls were provided to the Australian Electoral Commission Division of Tangney in Booragoon, Australian Electoral Commission of Fremantle in Spearwood and the Fremantle Court for early voting (in person).



#### SERVICES TO REGISTERED POLITICAL PARTIES AND CANDIDATES

#### The Returning Officer

Mr Shaun Major was appointed Returning Officer for the Willagee by-election and worked from his home office.

Under the direction of the Electoral Commissioner, a State returning officer performs specific duties and tasks, some of which are listed below.

#### **General Administrative Duties & Tasks**

- Provide ongoing security and safe-keeping for polling materials
- Maintain records (including correspondence, accounts and other relevant documents)
- Maintain staff payment records in accordance with requirements
- Respond to enquiries from candidates, potential candidates, public and polling site authorities

#### Prior to Issue of the Writ

- Become familiar with polling requirements and historical records for the district
- Prepare and dispatch provisional offers of appointment to polling staff
- Liaise with potential candidates regarding nomination procedures and their obligations

#### On Issue of the Writ

- Inspect polling places (including mobile polling sites)
- Complete and forward polling place profiles for each polling place
- Attend training session
- Select and appoint staff
- Confirm polling place bookings

#### Between Issue of the Writ and Nomination Day

- Receive local nominations
- Follow-up outstanding hire of premises

#### **On Nomination Day**

- Attend place for nomination between 11 am and 12 noon to receive nominations
- Conduct draw for positions on ballot paper
- Conduct candidate information sessions



#### Between Close of Nominations and Polling Day

- Arrange premises and notify staff regarding face-to-face training sessions
- Conduct face-to-face training session for polling place managers and assistant polling place managers
- Conduct face-to-face training session for mobile polling teams
- Receive and check staff packs
- Dispatch polling official appointments, manuals and workbooks
- Receive and reconcile ballot papers received
- Receive and check other polling place materials
- Allocate materials to polling places
- Supply materials to polling place managers

#### On Polling Day

- Visit polling places during polling hours
- Respond to candidate and public enquiries
- Receive and monitor the receipt of primary vote and notional count figure from polling places
- Transmit progressive polling place figures to the Commission
- Check-in polling place materials returned by Polling Place Managers

#### On the Sunday after Polling Day

- Reconcile polling place managers' returns
- Complete statistical returns
- Check and verify staffing records used for payment of polling officials
- Complete staff returns and assessments for polling place and casual staff
- Sort and package all used and unused materials for return to the Commission's store
- Record number of unused ordinary ballot papers
- Sort and reconcile all provisional votes issued at polling places in district

#### After Polling Weekend

- Conduct full distribution of preferences
- Conduct informal vote survey
- Declare the poll



#### **Nominations and Ballot Paper Draw**

The close of nominations and the draw for ballot paper positions was conducted at the Willagee Community Centre, by the Returning Officer.

The three registered parties lodged the relevant nomination forms with the Electoral Commission centrally and the independent candidate lodged his form with the Returning Officer prior to the close of nominations.

At the close of nominations at 12 noon on Thursday 22 October 2009 four candidates had nominated to contest the election.

#### List of Candidates (in ballot paper order and ballot paper name)

CHEW, Henri Christian Democratic Party WA

TINLEY, Peter Australian Labor Party

HARPER, Hsien Greens (WA)
GEORGATOS, Gerry Independent

#### **Party and Candidate Support and Training**

An informational letter was sent to all political parties prior to the close of nominations.

All candidates, and prospective candidates, were provided with a pack which included a brochure titled Eligibility for Membership of State Parliament, a Candidates Guide Legislative Assembly, a Disclosure of Gifts, Other Income and Electoral Expenditure Guidelines, a nomination form and receipt, and various other forms nominating ballot paper particulars, appointment of an agent and scrutineer appointment forms. These items were also available to download from the Commission's web site.



#### **Posters and Signage**

There are certain requirements under section 187 and 191A of the *Electoral Act 1907* which registered political parties and candidates are required to adhere to in regard to any advertisement, handbill or pamphlet which they produce. They must contain the name and address of the person authorising it, and the name and place of business of the printer.

A sign at the Coolbellup Community School advertising a building project funded by the Federal Government stimulus plan was covered up by staff from Building Management and Works (a section of the Department of Treasury and Finance) as it may have been considered to be unauthorised advertising under the abovementioned sections of the *Act*.





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Additionally no electoral advertising is permitted within six metres from the entrance to a polling place on polling day. No polling place manager reported a breach of these requirements on polling day.

#### **Provision of Election Results**

Election results were progressively available to electors, media and the general public via the Commission's web site at <a href="https://www.waec.wa.gov.au">www.waec.wa.gov.au</a> and from <a href="https://www.waec.wa.gov.au">www.electionswa.com</a> through a virtual tally room.

#### COUNTING OF THE VOTES AND DECLARATION OF THE POLL

Counting of votes commenced at 6.00 pm on polling night with the results being received by the Commission periodically until approximately 8.00 pm when the final results for the night were received. The notional results were transmitted periodically and relayed onto the Internet.

On Thursday 3 December 2009 final postal votes and provisional votes were verified and counted.

On Friday 4 December 2009 a full distribution of preferences was conducted at the Western Australian Electoral Commission. This count confirmed the notional distribution of preferences conducted on election night.

The returning officer formally declared the poll on Monday 7 December 2009 at the Supreme Court Gardens in Perth. Mr Peter Tinley, representing the Australian Labor Party was declared elected as the new member for the Legislative Assembly district of Willagee with a majority of 3,611 votes.

Information relating to the by-election, which included the results at polling place level, was included on the Commission's web site.

#### **Complaints Handling**

No formal complaints were received relating to the Willagee by-election. A small percentage of electors rang in with queries and concerns after promotional materials from a candidate were distributed to electors located outside the Willagee district.

#### **Non Voters**

A total of 4,969 electors were identified as apparent non voters. At the time of writing this document, 397 electors were excused for valid reasons. This included the elector being absent from the State, personal illness or having changed address.

#### Costs

The total cost of the by-election was \$166,632 excluding GST, and does not include Commission overheads including salaries. This cost comprises of \$80,230 for remunerations, \$46,483 for advertising and communications, \$17,509 for services and contracts and \$22,410 for materials and administrative costs.



#### **WILLAGEE BY-ELECTION RESULTS**

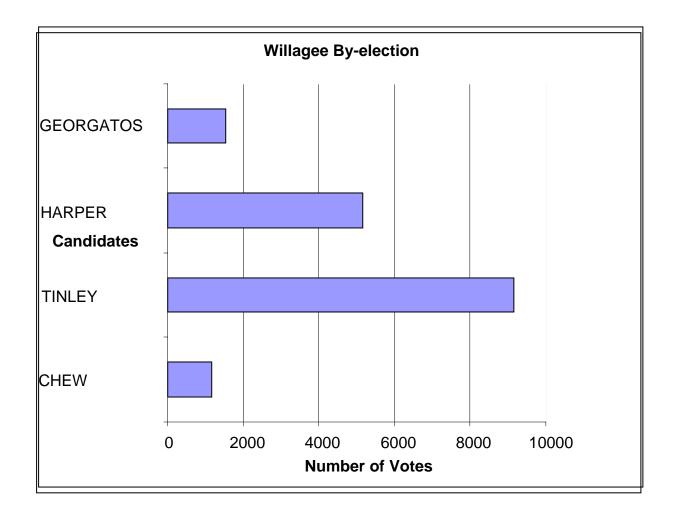
Enrolment: 23,082

Formal Votes: 17,026

Informal Votes: 863 (4.82% of total votes)

Total Votes: 17,889 (77.5% of enrolled electors)

#### **First Preference Votes by Candidate**



Informal Votes = 4.82%

# First Preference Votes Polled for Each Candidate at Each Polling Place

# Willagee Electoral District South Metropolitan Region

First Preference Votes Polled for each Candidate at each Polling Place

**Iwo Candidate Preferred Votes** 

52.08% 40.78% 30.72% 30.85% 32.89% 39.39% 31.77% 31.719 HARPER Hsien GRN 50.53% 54.78% 68.23% 59.22% 57.93% 61.34% 56.93% 55.68% 64.97% 68.29% 59.28% 69.15% 60.91% 67.11% 69.28% 60.61% 47.92% 62.48% 54.55% Peter ALP Total Votes Informa Votes 88 09 55 6/ 100.00% Total Formal Votes Ξ 8.98% GEORGATO 9/ 8 8 G HARPER Hsien GRN 30.32% 53.80% Peter ALP Votes 6.90% Henri CDP Southern Districts Senior Citizens Centre (Drive-in) Southern Districts Senior Citizens Centre Special Institutions, Hospitals & Remotes Anglican Church of The Holy Cross Hall East Hamilton Hill Primary School Coolbellup Community School Declaration and Mobile Votes Total Caralee Community School North Lake Senior Campus Melville Senior High School Southwell Primary School Samson Primary School Palmyra Primary School Phoenix Primary School **Fotal First Preferences Votes** Early Votes (In Person) Hilton Primary School Early Votes (by Post) Provisional Votes Polling Place Totals Polling Place «Total Valid Votes 윤양 

/oter Turnout = 77.50%

# **Distribution of Preferences**

Distribution of Preferences

CHEW Preference Distribution		HARPER Hsien	TINLEY HARPER GEORGATOS Peter Hsien Gerry	Votes remaining	Exhausted	Total Formal
Votes	es Votes	Votes	Votes	in count	Votes	Votes
First Preference Votes 1,175	9,160	5,162	1,529	17,026		17,026
CHEW Excluded	547	568	357	1,172	3	1,175
Total	9,707	5,430	1,886	17,023	3	17,026
GEORGATOS Excluded	609	1,275		1,884	7	1,886
District Total	10,316	6,705		17,021	5	17,026
	60.61%	39.39%				
				1	Absolute Majority = 8511	rity = 8511

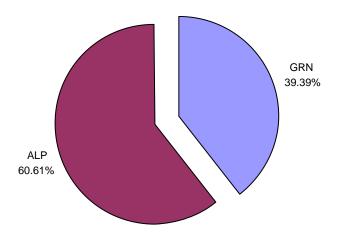


#### **Two Candidate Preferred Votes**

### Peter Charles Tinley Australian Labor Party

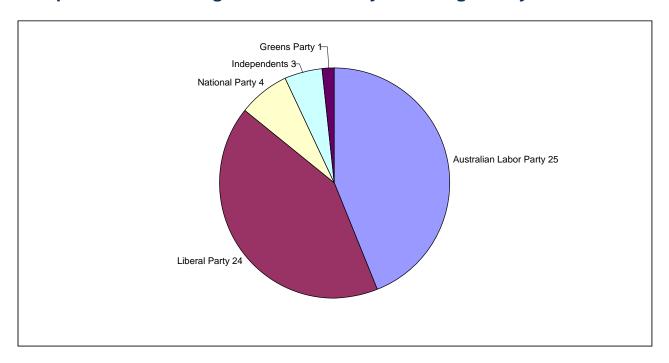
Elected as the member for Willagee

#### **Two Candidate Preferred**

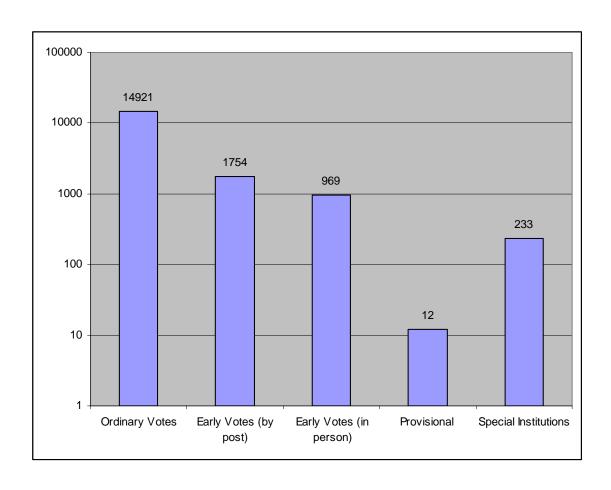




#### Composition of the Legislative Assembly following the By-election

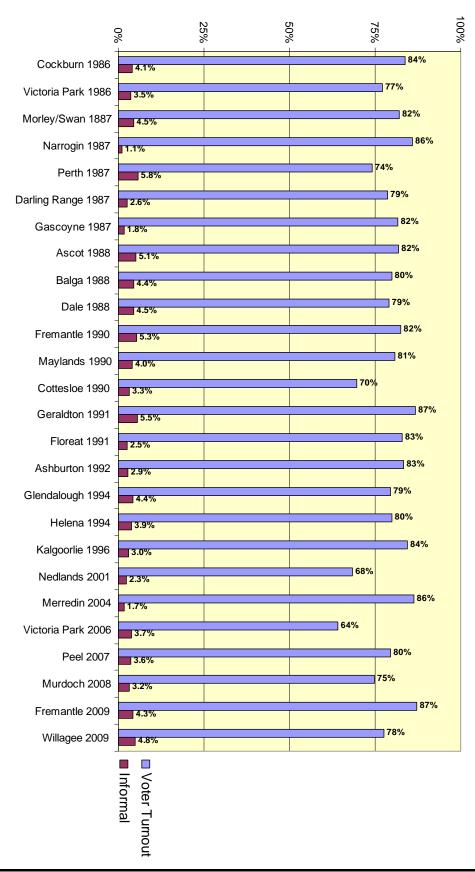


#### First Preference Results by Type of Vote





#### **Voter Turnout in Recent By-elections**



#### The Easy Voter Card (Sample)

