



Break O'Day Council

2009 election report

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Local Government Elections in Tasmania

Every two years elections are held in all 29 municipal areas for the positions of mayor and deputy mayor and half the councillor positions. Where required, by-elections are held concurrently for vacancies that have occurred since the last elections. In 2009, 27 elections were held in September/October, with the Break O'Day and Glamorgan-Spring Bay elections being postponed while an investigation into a proposed voluntary merger between them took place. These elections were then held in November/December.

The Tasmanian Electoral Commission (TEC) supervises the conduct of elections in accordance with the *Local Government Act 1993*. Elections by postal ballot have been held in 1994, 1996, 1999 (deferred from 1998), 2000, 2002, 2005 (deferred from 2004), 2007 and 2009 with the next elections due in October 2011.

Since 2000, mayors and deputy mayors have been elected directly by the electors in all municipal areas. Previously, in most councils, mayors and deputy mayors were elected by the councillors at the first meeting of a new council.

Candidate information booklets and complete election results for the state are available from the TEC and are posted on the TEC website www.tec.tas.gov.au.

2009 Election timetable

| | |
|--|--------------------------------------|
| Notice of election published | Saturday 12 September |
| Electoral rolls closed | 6 pm Thursday 17 September |
| Nomination period | 14 September–12 noon on 28 September |
| Nominations closed | 12 noon Monday 28 September |
| Nominations announced & draw for ballot paper positions | 12 noon Tuesday 29 September |
| Ballot material delivered to electors | 13–16 October |
| Polling period | 13–27 October |
| Close of poll | 10 am Tuesday 27 October |

2009 Election timetable (Break O'Day and Glamorgan-Spring Bay)

| | |
|--|-----------------------------------|
| Notice of election published | Saturday 7 November |
| Electoral rolls closed | 6 pm Thursday 12 November |
| Nomination period | 9 November–12 noon on 23 November |
| Nominations closed | 12 noon Monday 23 November |
| Nominations announced & draw for ballot paper positions | 12 noon Tuesday 24 November |
| Ballot material delivered to electors | 8–11 December |
| Polling period | 8–22 December |
| Close of poll | 10 am Tuesday 22 December |

Casual vacancies

Casual vacancies are filled by recount where possible, unless the vacancy occurs within 6 months of a forthcoming election. Only unelected candidates from the relevant election may contest a recount. A candidate elected at a recount serves until the next council election. If a recount is not possible, a by-election is held—with the candidate elected to serve for the remainder of the term of office of the original councillor.

Elector polls

A council may hold an elector poll on any issue it determines. It may also be required to hold an elector poll following petitions from electors in accordance with Part 6 of the Act. A council is not bound by the result of an elector poll.

Electoral system

Voting in Tasmanian local government elections is not compulsory.

Elections for councillor positions are conducted using a system modelled on the Hare-Clark method of proportional representation used in Tasmanian House of Assembly elections.

Mayoral and deputy mayoral elections use a preferential system similar to that used for Tasmanian Legislative Council and federal House of Representatives elections.

Bruce Taylor ELECTORAL COMMISSIONER February 2010

Report on the 2009 Break O'Day Council Election

Elections were held for the positions of Mayor and Deputy Mayor for 2 year terms, and 6 Councillors, 5 of which for 4 year terms, and 1 casual position for 2 years.

5142 Break O'Day electors were enrolled for the 2009 elections, comprising 4671 (90.84%) from the State House of Assembly roll and 471 (9.16%) from the General Manager's roll.

69.53% of Break O'Day electors returned their ballot papers in comparison with 55.54% statewide.

Recounts

A recount was conducted on 14 November 2008, to fill a vacancy for Councillor on the Break O'Day Council following the resignation of John Warren on 3 November 2008. Four unelected candidates from the 2007 Break O'Day Council election contested the recount. Full details are provided on the back page.

Candidates at the 2009 elections

| Mayor | | Councillors | |
|----------------------|-----------|----------------------------|----------------|
| CLEMENT, David | St Marys | ANDREWS, Gloria Maxine | St Helens |
| ★ LEGGE, Robert* | St Marys | ★ BLEANEY, Alison | Binalong Bay |
| | | CATO, Vic* | Scamander |
| | | ★ CLEMENT, David* | St Marys |
| | | COULSON, Donna | St Helens |
| Deputy Mayor | | HOLDER, Henry* | St Helens |
| JOHNS, Reon | St Marys | ★ LeFEVRE, John* | St Helens |
| LeFEVRE, John | St Helens | ★ McGIVERON, John Charles* | St Marys |
| ★ OSBORNE, Margaret* | St Helens | McGUINNESS, Glenn | Binnalong Bay |
| | | McLEAN, Gus | St Helens |
| | | NICHOLS, Peter John | Binalong Bay |
| | | POWER, Peter Roy | St Marys |
| | | RATTRAY, Leslie Joseph | Goulds Country |
| | | ★ RUBENACH, Hannah | Gray |
| | | ^★ SCHMERL, Sarah | St Helens |

★ denotes elected candidate

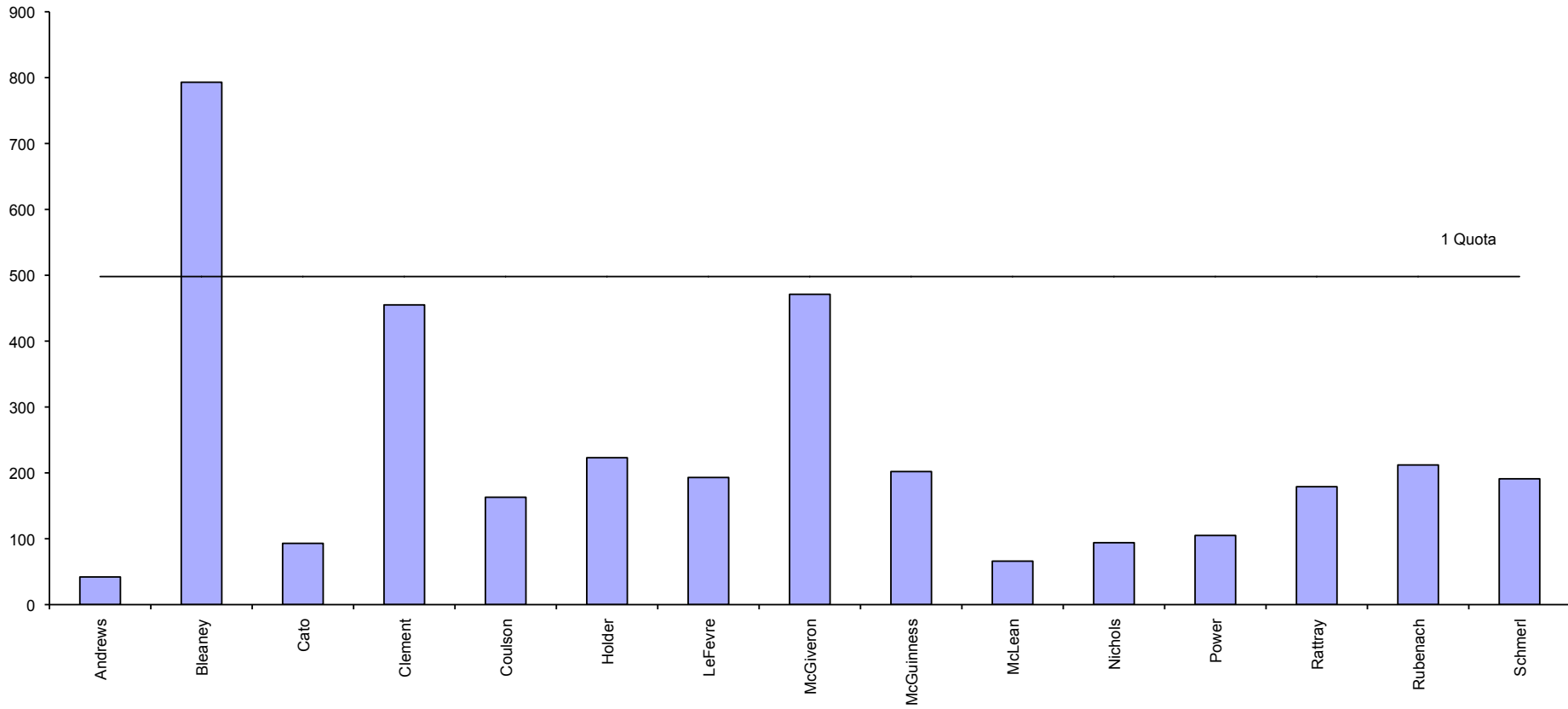
* denotes seeking re-election

^ denotes filled casual vacancy

Break O'Day Councillors following the 2009 elections

| Mayor | 9 Councillors | |
|-----------------------|-------------------------|-----------------------|
| <i>term ends 2011</i> | <i>term ends 2013</i> | <i>term ends 2011</i> |
| LEGGE, Robert | BLEANEY, Alison | LEGGE, Robert |
| Deputy Mayor | CLEMENT, David | OSBORNE, Margaret |
| <i>term ends 2011</i> | McGIVERON, John Charles | JOHNS, Reon |
| OSBORNE, Margaret | RUBENACH, Hannah | SCHMERL, Sarah |
| | LeFEVRE, John | |

2009 Break O'Day Councillor election - first preferences



Break O'Day Council - 2009 Councillor election

Polling closed at 10am 22 December 2009

Electors enrolled: 5 142

Number to be elected: 6

Declarations returned: 3 575

Returning Officer: Mr Rod Huskins

Response: 69.53%

| Count | Andrews | Bleaney | Cato | Clement | Coulson | Holder | LeFevre | McGiveron | McGuinness | McLean |
|----------|---------|----------|----------|---------|----------|----------|---------|-----------|------------|---------|
| 1 | 42.00 | 793.00 | 93.00 | 455.00 | 163.00 | 223.00 | 193.00 | 471.00 | 202.00 | 66.00 |
| 2 | 17.48 | - 295.00 | 7.81 | 53.94 | 23.80 | 9.30 | 19.71 | 17.11 | 23.80 | 12.27 |
| | 59.48 | 498.00 | 100.81 | 508.94 | 186.80 | 232.30 | 212.71 | 488.11 | 225.80 | 78.27 |
| 3 | 0.37 | | 0.45 | - 10.94 | 0.60 | 0.30 | 0.52 | 0.60 | 0.45 | 0.82 |
| | 59.85 | 498.00 | 101.26 | 498.00 | 187.40 | 232.60 | 213.23 | 488.71 | 226.25 | 79.09 |
| 4 to 6 | - 59.85 | | 3.37 | | 5.30 | 0.37 | 3.11 | 1.00 | 3.11 | 2.48 |
| | 0.00 | 498.00 | 104.63 | 498.00 | 192.70 | 232.97 | 216.34 | 489.71 | 229.36 | 81.57 |
| 7 to 9 | | | 4.81 | | 5.18 | 2.07 | 6.37 | 7.18 | 14.63 | - 81.57 |
| | | 498.00 | 109.44 | 498.00 | 197.88 | 235.04 | 222.71 | 496.89 | 243.99 | 0.00 |
| 10 | | | - 100.00 | | 3.00 | 18.00 | 18.00 | 16.00 | 11.00 | |
| | | 498.00 | 9.44 | 498.00 | 200.88 | 253.04 | 240.71 | 512.89 | 254.99 | |
| 11 to 12 | | | - 9.44 | | 1.11 | 0.44 | 1.26 | | 0.37 | |
| | | 498.00 | | 498.00 | 201.99 | 253.48 | 241.97 | 512.89 | 255.36 | |
| 13 | | | | | 0.93 | 6.51 | 0.93 | - 14.89 | 1.86 | |
| | | 498.00 | | 498.00 | 202.92 | 259.99 | 242.90 | 498.00 | 257.22 | |
| 14 to 16 | | | | | 16.63 | 12.26 | 9.44 | | 9.86 | |
| | | 498.00 | | 498.00 | 219.55 | 272.25 | 252.34 | 498.00 | 267.08 | |
| 17 to 20 | | | | | 17.98 | 9.63 | 11.87 | | 23.39 | |
| | | 498.00 | | 498.00 | 237.53 | 281.88 | 264.21 | 498.00 | 290.47 | |
| 21 to 24 | | | | | - 237.53 | 16.38 | 26.72 | | 38.91 | |
| | | 498.00 | | 498.00 | 0.00 | 298.26 | 290.93 | 498.00 | 329.38 | |
| 25 to 28 | | | | | | 44.56 | 90.96 | | 60.57 | |
| | | 498.00 | | 498.00 | | 342.82 | 381.89 | 498.00 | 389.95 | |
| 29 | | | | | | - 318.00 | 123.00 | | 50.00 | |
| | | 498.00 | | 498.00 | | 24.82 | 504.89 | 498.00 | 439.95 | |
| 30 to 32 | | | | | | - 24.82 | | | 5.88 | |
| | | 498.00 | | 498.00 | | | 504.89 | 498.00 | 445.83 | |
| 33 | | | | | | | | | 15.27 | |
| | | 498.00 | | 498.00 | | | 504.89 | 498.00 | 461.10 | |
| 34 | | | | | | | - 6.89 | | 3.52 | |
| | | 498.00 | | 498.00 | | | 498.00 | 498.00 | 464.62 | |

Declarations rejected: 31

Ballot paper adjustment: 0

Formal Votes: 3 482

Declarations admitted: 3 544

Total ballot papers: 3 544

Informal ballot papers: 62

Rejection rate: 0.87%

Informality rate: 1.75%

Quota = 498

| Nichols | Power | Ratray | Rubenach | Schmerl | Votes Exhausted | Loss (Gain) by Fraction | Total Votes | Remarks |
|----------|----------|----------|----------|---------|-----------------|-------------------------|-------------|--|
| 94.00 | 105.00 | 179.00 | 212.00 | 191.00 | | | 3 482.00 | Bleaney elected 1 |
| 30.50 | 13.39 | 16.36 | 25.66 | 23.80 | | 0.07 | | Bleaney's surplus distributed |
| 124.50 | 118.39 | 195.36 | 237.66 | 214.80 | | 0.07 | 3 482.00 | Clement elected 2 |
| 2.41 | 1.43 | 0.30 | 1.96 | 0.67 | | 0.06 | | Clement's surplus distributed |
| 126.91 | 119.82 | 195.66 | 239.62 | 215.47 | | 0.13 | 3 482.00 | |
| 10.82 | 7.48 | 5.74 | 7.41 | 9.60 | | 0.06 | | Andrews excluded |
| 137.73 | 127.30 | 201.40 | 247.03 | 225.07 | | 0.19 | 3 482.00 | |
| 12.09 | 7.30 | 5.07 | 7.63 | 9.18 | | 0.06 | | McLean excluded |
| 149.82 | 134.60 | 206.47 | 254.66 | 234.25 | | 0.25 | 3 482.00 | |
| 3.00 | 4.00 | 9.00 | 9.00 | 9.00 | | 0.00 | | Cato part excluded |
| 152.82 | 138.60 | 215.47 | 263.66 | 243.25 | | 0.25 | 3 482.00 | McGiveron elected 3 |
| 1.63 | 0.00 | 1.93 | 1.93 | 0.74 | | 0.03 | | Cato excluded |
| 154.45 | 138.60 | 217.40 | 265.59 | 243.99 | | 0.28 | 3 482.00 | |
| 0.93 | 0.00 | 1.86 | 0.93 | 0.93 | | 0.01 | | McGiveron's surplus distributed |
| 155.38 | 138.60 | 219.26 | 266.52 | 244.92 | | 0.29 | 3 482.00 | |
| 20.77 | - 138.60 | 6.63 | 46.17 | 15.81 | 1.00 | 0.03 | | Power excluded |
| 176.15 | 0.00 | 225.89 | 312.69 | 260.73 | 1.00 | 0.32 | 3 482.00 | |
| - 176.15 | | 16.57 | 80.35 | 13.24 | 3.08 | 0.04 | | Nichols excluded |
| 0.00 | | 242.46 | 393.04 | 273.97 | 4.08 | 0.36 | 3 482.00 | |
| | | 37.87 | 33.33 | 81.00 | 3.33 | - 0.01 | | Coulson excluded |
| | | 280.33 | 426.37 | 354.97 | 7.41 | 0.35 | 3 482.00 | |
| | | - 280.33 | 31.88 | 48.77 | 3.60 | - 0.01 | | Ratray excluded |
| | | 0.00 | 458.25 | 403.74 | 11.01 | 0.34 | 3 482.00 | |
| | | | 84.00 | 52.00 | 9.00 | 0.00 | | Holder part excluded |
| | | | 542.25 | 455.74 | 20.01 | 0.34 | 3 482.00 | Rubenach elected 4, LeFevre elected 5 |
| | | | | 14.36 | 4.61 | - 0.03 | | Holder excluded |
| | | | 542.25 | 470.10 | 24.62 | 0.31 | 3 482.00 | |
| | | | - 44.25 | 20.54 | 8.42 | 0.02 | | Rubenach's surplus distributed |
| | | | 498.00 | 490.64 | 33.04 | 0.33 | 3 482.00 | |
| | | | | 1.79 | 1.56 | 0.02 | | LeFevre's surplus distributed |
| | | | 498.00 | 492.43 | 34.60 | 0.35 | 3 482.00 | Schmerl elected 6 |

Break O'Day Council

Polling closed at 10am 22 December 2009

Returning Officer: Mr Rod Huskins

Mayor

Declarations admitted: 3544

Formal Votes: 3488

Ballot paper adjustment: 0

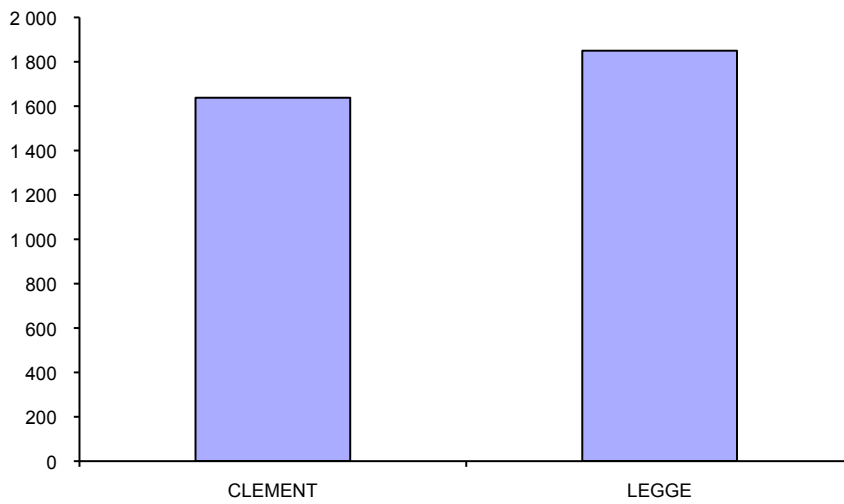
Informal ballot papers: 56

Total ballot papers: 3544

Informality rate: 1.58%

| | | Candidates | | Total Votes | Absolute Majority | Remarks |
|---------|-------------------|------------|-------|----------------|----------------------|----------------------|
| | | CLEMENT | LEGGE | | | |
| Count 1 | First Preferences | 1 638 | 1 850 | 3 488 | 1 745 | LEGGE elected |

2009 Break O'Day Mayor election - first preferences



Break O'Day Council

Polling closed at 10am 22 December 2009

Returning Officer: Mr Rod Huskins

Deputy Mayor

Declarations admitted: 3544

Formal Votes: 3516

Ballot paper adjustment: 0

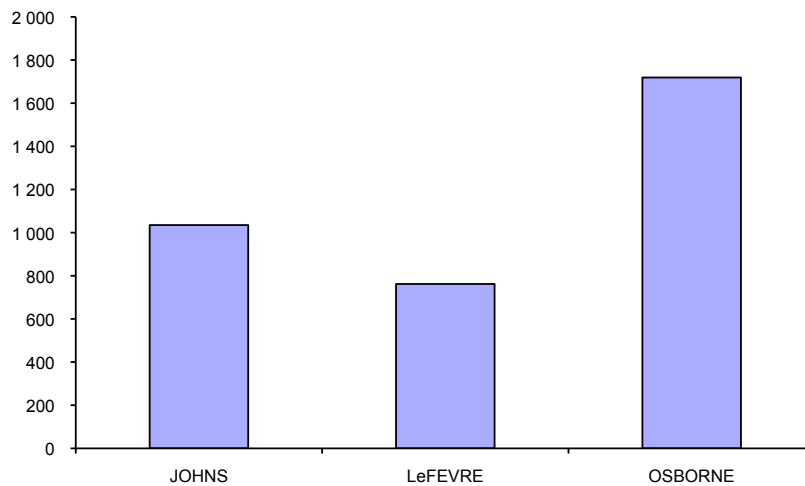
Informal ballot papers: 28

Total ballot papers: 3544

Informality rate: 0.79%

| | | Candidates | | | Exhausted | Total Votes | Absolute Majority | Remarks |
|---------|-------------------|------------|---------|---------|-----------|-------------|-------------------|------------------------|
| | | JOHNS | LeFEVRE | OSBORNE | | | | |
| Count 1 | Progress Total | 1 035 | 762 | 1 719 | | 3 516 | 1 759 | First preferences |
| Count 2 | Votes transferred | 269 | - 762 | 389 | 104 | | | LeFEVRE excluded |
| | Progress Total | 1 304 | 0 | 2 108 | 104 | 3 516 | 1 707 | OSBORNE elected |

2009 Break O'Day Deputy Mayor election - first preferences



Break O'Day Council Recount

Recount due to resignation of John Warren

14 November 2008

| | | CATO Vic | DUDLEY Todd William | GILES Frank G | NICHOLS Peter | Exhausted Votes | Lost by fraction | Total Votes | Absolute majority | Remarks |
|----------------|-------------------|-------------|------------------------|------------------|------------------|--------------------|---------------------|---------------|----------------------|------------------------|
| Counts 1 and 2 | Total | 308.90 | 75.26 | 174.68 | 100.99 | 43.15 | 0.02 | 703.00 | 329.92 | Distribution of WARREN |
| Counts 3 and 4 | Votes transferred | 21.42 | - 75.26 | 31.42 | 19.79 | 2.62 | 0.01 | | | DUDLEY excluded |
| | Progress total | 330.32 | 0.00 | 206.10 | 120.78 | 45.77 | 0.03 | 703.00 | 328.61 | CATO elected |