

## Inquiry into the 2007 Federal Election

Submission from the Electoral Reform Society of South Australia May 2008

### Proportional Representation

**The Electoral Reform Society urges the Joint Select Committee on Electoral Matters to take this opportunity to consider changing the method of electing the House of Representatives to the quota-preferential method of proportional representation.**

The Electoral Reform Society believes that the electoral system used to elect the House of Representatives needs to be changed from single-member electorates to the quota-preferential method of proportional representation with multi-member electorates.

As the quota-preferential method of proportional representation is used to elect the Senate, after every Federal Election it is possible to compare how well these two methods of election compared.

Analyses of the 2007 Federal Election results for the House of Representatives and the Senate are given in the attached (**Attachments 1 and 2**).

The analyses show how the voters fared in terms of their votes actually electing the candidates of their choice. Only **54.6%** of Australian voters found that their votes (or preferences) elected someone to the House of Representatives (**Attachment 1**). In contrast, **82.5%** of these voters and at the same election found their votes (or preferences) electing a Senator.

It is often assumed that it is only the supporters of the smaller parties and Independents who find that they are not represented in the House of Representatives. But as the analysis of the results show (**Attachment 1**), over two million voters for the ALP found that their votes did not elect anyone to the House of Representatives. This is in spite of the ALP winning more than its fair share of seats (55% of the seats with only 47% of the vote). **Over one third of Labor voters found that their votes were wasted.** These voters were denied the opportunity to elect members of the new Rudd Government, and denied the excitement on election night of knowing their votes helped to defeat the previous Government. In contrast, virtually all Labor voters found their votes electing Labor Senators.

Of course for the Liberal Party the situation was even worse, with 49% of their supporters finding their votes (or preferences) not electing anyone to the House of Representatives. Again in contrast, 95% of Coalition voters found their votes electing Coalition Senators

At the 2020 Summit, in the Australian Governance stream, a priority major theme identified was the need to strengthen the participation of Australians in their governance. Currently many people do not even bother to enrol as they can see that their vote would not influence the outcome and they would be wasting their time. However with a change to proportional representation, this would encourage greater participation.

## **Inquiry into the 2007 Federal Election**

In addition to arguing for proportional representation for the House of Representatives, there were a number of issues during the 2007 Federal election campaign that concern the Electoral Reform Society, including the following:

### 1) **Voting tickets**

**While above the line voting exists, consideration needs to be given to either the Australian Electoral Commission distributing the voting tickets or legislating so that the political parties must provide this detail in print form. There is also a need for a matrix comparing the tickets and a blank Senate paper.**

The Electoral Reform Society believes that above the line voting for the Senate needs to be abolished. In its place, optional preferential voting should be introduced.

While above the line voting exists, it is necessary to ensure that voters are aware of what voting above the line means.

Under the *Commonwealth Electoral Act 1918*, Section 216 states that a poster or a pamphlet showing the voting tickets must be prominently displayed at each polling booth. The Electoral Reform Society asked members to check when they were voting whether this information was available. The responses received showed that the details were easily available at most polling booths, and we thank the Australian Electoral Office for not only arranging this, but making the polling staff aware that this was available. In the past, many polling staff, including at times the officers-in-charge were not aware that this was available or necessary under the legislation.

The website on the Australian Electoral Commission also provided the details of the voting tickets. However this is cumbersome and difficult to follow, or to conveniently download. A matrix comparing the tickets would be a useful addition.

Unfortunately also there was no blank Senate ballot paper provided on which voters could mark the order of their own preferences, so that they could take this with them when they went to vote. The Electoral Reform Society received several requests from the members and the general public for a blank Senate ballot paper. The provision of such a paper from the Australian Electoral Commission would assist those who are considering voting below the line.

The Society was impressed by the media release issued on 20 November 2007 by the Australian Electoral Office on “*Voters have the final say ranking candidates on the ballot paper*”, which made voters aware that they could vote below the line. In addition, GetUp gave a summary of ticket voting and “*The Independent Weekly*” also had an article on ticket voting. However ticket voting was ignored in most of the media. Despite this almost 12,000 more South Australians voted below the line in the 2007 Election compared with the 2004 Federal Election.

While Section 216 stipulates that details on voting tickets need to be available at polling places, this information is actually of very little use at such a late stage in the election. Rather than provide details on voting tickets at polling booths, this needs to be provided before Election Day.

It is preferable that it be in printed form. Consideration needs to be given to either the Australian Electoral Commission distributing the voting tickets – perhaps in their booklet “*Your official guide to the 2007 federal election*”, or legislating so that the political parties must provide this detail in print form.

The Electoral Reform Society would prefer that there was optional preferential voting. It has been put to the Society that a true independent candidate can not run above the line for the Senate because a voting ticket needs to be lodged in order to appear as a ‘group’ above the line. It is understood that Independents in the last Federal Parliament highlighted this inequity and attempted to amend the legislation to enable independents to run above the line without having to direct preferences. Allowing optional preferential voting would overcome this problem.

## 2) **Postal votes**

### **The Australian Electoral Commission should be the only organisation allowed to distribute and receive applications for postal votes.**

There is a need for clarification on whether voters need to make a postal vote. The major parties tend to distribute material which includes applications for postal votes. Many are confused by these applications and also concerned at the process when such applications have to be returned through a political party.

For complete transparency, the Australian Electoral Commission should be the only organisation allowed to distribute and receive applications for postal votes. Political parties and candidates need to be kept separate from this process

In our submission to the 2001 Federal Election Inquiry, the Society stated, “there is merit in considering changing completely to postal voting (as now used for local government elections in South Australia and used in electing delegates to the Constitutional Convention on the Republic)”. Since then there have been further local government elections in this State, again by postal voting, and some in the community thought this Federal election was also being conducted by postal voting.

To assist in avoiding this confusion, the Australian Electoral Commission's booklet "*Your official guide to the 2007 federal election*" should be individualised for each Federal electorate and the location of the polling booths included. This would also assist where polling places have changed.

The Society also received reports of postal votes being sent to the wrong addresses.

### 3) **Enrolment issues**

#### **There is a need to extend the closing of rolls, remove proof of identity, extend the prisoner franchise and introduce automatic enrolment.**

Members of the Electoral Reform Society are concerned at some of the recent changes that were made to the enrolment procedures. In particular we ask that the Committee consider the effects these changes had on the outcome of the 2007 Election and that consideration be given to extending the closing of rolls, removing proof of identity and extending the prisoner franchise.

There is now a need to introduce automatic enrolment in a bid to encourage greater participation in Australia's governance processes. Details should be available from a range of data bases including drivers' licences and Medicare.

### 4) **Size of electorates**

#### **Discrepancies in the size of electorates need to be addressed.**

One of the Society's members has drawn attention to wide disparity in the size of electorates for the House of Representatives. The largest electorate was Canberra (ACT) with 122,401 voters and the smallest was Solomon (NT) with 57,560 voters. If Tasmanian and Territory electorates are ignored due to the Constitutional requirements, the largest electorate was then McEwen (Vic) with 104,509 voters and the smallest was Moore (WA) with 76,761 voters. McEwen is 36% larger in the terms of the number of voters than Moore. A further examination even shows a wide variation within a State between the largest and smallest, the biggest difference being 17,918 voters in WA between Canning and Moore, a 23% difference.

The current Constitutional requirements need to be examined. If Tasmania is to have a minimum number of seats, or there are to be a certain number of seats for each Territory, then these "benchmarks" need to set the size of all electorates and the number of members of the House of Representatives adjusted accordingly. The introduction of multi-member electorates for the House of Representatives would make it easier to maintain equality between electorates as well as assist in reducing the frequency of redistributions.

5) **Procedures for calculating transfer values and for transferring surplus votes**

**For accuracy, the Weighted Inclusive Gregory Method needs to be used for calculating and transferring surplus votes.**

In Senate elections, the transfer value is currently calculated by dividing the elected member's surplus by the number of ballot papers received by the elected candidate. This value is calculated without regard to the previous value of these ballot papers, which could range downwards from full value (1.0), through various previous transfer values to as low as 0.01 or thereabouts. Hence some votes can actually increase in value and have an undue influence in the count. So much for "one vote, one value"!

The Electoral Reform Society argues that instead of this flawed averaging mechanism, there needs to be a weighted calculation on each bundle of votes at their previous values. This calculated transfer value is the elected person's surplus divided by the total vote value (not total ballot papers) received by the elected candidate. This figure would then be multiplied by the previous transfer values of each bundle.

This method has been called the Weighted Inclusive Gregory Method. It avoids the current situation whereby incoming values of transferred surplus votes might increase in value, and hence even lead to the election of the wrong candidate. The Western Australian Government has accepted this method as it avoids the possibility of transfer values ever rising in the course of a scrutiny.

While this procedure is more accurate than the current averaging method, it is more complicated. However now that all Senate elections are conducted by the Australian Electoral Commission using computer data entry procedures, any complications in the calculations can easily be handled electronically.

6) **Electoral funding**

**Remove the 4% limit, pay only for legitimate expenses incurred, provide equal access to free media time and donations by individuals to be tax deductible.**

The Electoral Reform Society has some concerns with the current method of allocating public electoral funding.

The Society is opposed to the arbitrary requirement of 4% of the vote before being eligible for funding. This is a kin to saying that the vote of anyone who supports a minor candidature is irrelevant. The monetary value of all votes should be the same, regardless of who gets the votes.

Before any funding is given to a political party or a candidate, evidence needs to be provided on the actual legitimate expenses incurred and no funding should be provided in excess of this expenditure. Political parties and candidates should not be allowed to make a financial windfall from contesting elections.

If Australia's elections are going to be free and fair it is essential that all candidates are treated equally in all aspects including access to and payment from any public electoral funding. There also needs to be equal access to any 'free time' provided in the media (including the ABC and print media).

All voters also needed to be treated equally. Not only should the monetary value of all votes be the same, but all voters should be able to claim any donations they make as tax deductions. If we are serious in encouraging participation in the political process, perhaps this should be encouraged through the taxation system rather than automatic payments of public electoral funding. However to ensure that the influence brought by such donations does not undermine democratic principles, there should be a cap of donations and any threshold on public disclosure of these donations should be low (perhaps \$1000). As it is only individuals who can vote in elections for the Australian Parliament, it should only be individuals who receive any tax deductibility.

## 7) **Other voting aspects**

### **Extend electronic voting and allow absentee voting at all polling booths.**

The Society was very pleased that the Australian Electoral Commission provided sites for a vision-impaired electronic voting trial during the 2007 Federal Election. Regardless of the outcome of this trial, such a move needs to be applauded for attempting to give the vision-impaired independence and privacy to cast their votes.

The Society would also support a general extension of electronic voting. Particularly while there is the compulsory marking of all preferences, electronic voting would assist voters who want to make a legitimate vote but who currently accidentally vote informally. It would also assist to prevent accidental and intentional multiple voting, and assist in speeding up the counting process.

The Society was informed that during the 2007 Election when mistakes were made, that replacement ballot papers were not always given. Electronic voting would assist to overcome this problem.

With modern technology, on polling day voters should now be allowed to make absent votes at any polling booth. Currently if you are interstate it is not always possible to get to designated polling booths even if you know where these are and know how to get to them. Often travellers on the Dukes Highway (between Adelaide and Melbourne) stop wherever they see a polling booth, and then give up if they can not vote there but are directed to somewhere else.

8) **AEC publication “Your official guide to the 2007 federal election”**

**Revamp the guide to Federal elections and produce one for each Federal electorate with details on polling places, candidates and ticket voting.**

The Society was disappointed in this publication. It was virtually useless with no specific details provided. In addition, it appears that not everyone received a copy.

Even the more general information was limited. For example, the booklet “*Election 2004*” produced and distributed before the 2004 Federal Election had correctly stated that in relation to above the line voting for the Senate, “*information will be available at all polling places showing you how each party or group has decided to allocated preferences*”. Why was this excluded from the 2007 publication?

The Society would like to see such a publication produced for each Federal electorate. It needs to include the location of the polling booths. This would also assist particularly where polling places have changed since the last Federal election or where there are different polling places in a neighbourhood for Federal and State elections, and there is confusion about the polling booth and what facilities are available (such as wheel chair access). Referring people to a daily paper is not appropriate, and this becomes less relevant as circulation declines.

There also needs to be a list of all candidates for the House of Representatives electorate and for the Senate in that State. Nowadays it is possible not to even know all the candidates for a House of Representatives electorate as not all candidates circulate electoral material, and yet voters are being forced to mark preferences for these.

The situation is even more complicated for the Senate with above and below the line voting. As indicated previously above the line voting should be abolished. However while above the line voting is in existence, details on voting tickets should be provided in the official guide.

Ideally the Society would like to see this publication also with details about all candidates, such as a brief description, perhaps a photo and contact details (essential). If Australia is serious in encouraging participation in the political process now is the time to provide more details so that electors can make informed decisions.

**EFFECTIVE VOTES**

An analysis of the Senate election results, 24 November 2007

**(A) Election results** (after distribution of necessary preferences to obtain quotas)

Electorate	Effective votes				Ineffective votes				Total votes
	ALP	LIB/NAT	GRN	OTHER	ALP	LIB/NAT	GRN	OTHER	
New South Wales	1862269	1870516					459650	127	4192562
Victoria	1371226	1386018					424,440	88	3181772
Queensland	1064065	1036677					311914	5155	2417811
Western Australia	343644	515466	221943		30			121345	1202428
South Australia	287660	287660	159493	143830	313	127551			1006507
Tasmania	149118	93386	46693			37362			326559
Australian Capital Territory	91215	76555			803	503	48384	7861	225321
Northern Territory	46532	40045			673	208	8870	2292	98620
<b>Australia</b>	<b>3353460</b>	<b>3435807</b>	<b>428129</b>	<b>143830</b>	<b>1819</b>	<b>165624</b>	<b>1253258</b>	<b>136868</b>	<b>12651580</b>
Grand Total	7361226				1557569				

(Note: These figures do not include those votes exhausted or lost by fraction during transfers.)

**(B) Voter representation**

The election results listed in (A) can be summarised:

Party	Total votes	Effective votes	Ineffective votes
<b>ALP</b>	3355279	3353460	99.9% 1819 0.1%
<b>LIB/NAT</b>	3601431	3435807	95.4% 165624 4.6%
<b>GRN</b>	1681387	428129	25.5% 1253258 74.5%
<b>OTHER</b>	280698	143830	51.2% 136868 48.8%
Australia	8918795	7361226	82.5% 1557569 17.5%
<b>Effective representation</b>		<b>82.5%</b>	
Wasted votes		17.5%	



**(C) Party representation**

The election results listed in (A) also show the following:

<b>Party</b>	<b>% of total vote</b>	<b>Corresponding proportion of seats</b>	<b>Seats actually won</b>	
<b>ALP</b>	37.6%	15.05	15	18
<b>LIB/NAT</b>	40.4%	16.15	16	18
<b>GRN</b>	18.9%	7.54	8	3
<b>OTHER</b>	3.1%	1.26	1	1

*This analysis has been prepared by the Electoral Reform Society of South Australia.*

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**Source:** Australian Electoral Commission

**EFFECTIVE VOTES**

An analysis of the House of Representatives election results, 24 November 2007

**(A) Election results** (after distribution of necessary preferences so that the winning candidate has more than 50% of the vot

Electorate	Effective votes				Ineffective votes					Total votes
	ALP	LIB	NAT	IND	ALP	LIB	NAT	GRN	OTHER	
<b>New South Wales</b>										
Banks*	45059					27728		4612	5102	82501
Barton*	45292					27425		6784	2465	81966
Bennelong	44685					42251				86936
Berowra*		44525			25563			7653	5604	83345
Blaxland*	47495					18665		5004	6292	77456
Bradfield*		49817			22509			9495	2510	84331
Calare			51124		31263					82387
Charlton*	44156					26353		6708	5966	83183
Chifley*	51568					19092	2897	6791		80348
Cook*		45116			30921			5342	4728	86107
Cowper			43423		41334					84757
Cunningham*	44835					22438		12326	4630	84229
Dobell	44413					37983				82396
Eden-Monaro	45207						39447			84654
Farrer*		49794			28238			4169	4058	86259
Fowler*	50180					21706		4289	1932	78107
Gilmore*		40513			30386			6070	3428	80397
Grayndler*	46509					17485		15675	4171	83840
Greenway*		40338			30973			4617	4594	80522
Hughes		42327			35956			5236		83519
Hume		42512			32265			6618	2668	84063
Hunter*	49561						22328	5265	5523	82677
Kingsford-Smith*	45831					29402		8995	2498	86726
Lindsay*	41991					31176		2759	5783	81709
Lowe	39338					32332		7004		78674
Lyne*			41319		25358			5649	6736	79062
Macarthur		38865			37757					76622
Mackellar*		47343			20439			9840	6311	83933
Macquarie	50037					37690				87727
Mitchell*		46115			25211			4302	5651	81279
Newcastle*	42936					21611		8463	11535	84545
New England*				52734	8368		19850	2892	1296	85140
North Sydney*		44177			30372			7851	2863	85263
Page	44770						40740			85510
Parkes			51985		30484					82469
Parramatta*	43083					32155		4288	5654	85180
Paterson		42206			36469			5241		83916
Prospect*	46135					24705		3618	4842	79300
Reid*	47739					21516		4160	6023	79438
Richmond	47973						33513			81486
Riverina*			52779		24471			4130	2978	84358
Robertson	43697					43513				87210
Shortland*	48525					26620		7097	3299	85541
Sydney	38394					21208		16962		76564
Throsby*	52275					18266		7308	2598	80447
Warringah*		46398			23317			10660	4716	85091
Watson*	49652					20957		5302	4423	80334
Wentworth*		44463			26903			13205	3701	88272
Werriwa*	46892					24046		3022	5750	79710
<b>Total</b>	<b>1288228</b>	<b>664509</b>	<b>240630</b>	<b>52734</b>	<b>598557</b>	<b>646323</b>	<b>158775</b>	<b>259402</b>	<b>150328</b>	<b>4059486</b>

Electorate	Effective votes				Ineffective votes					
	ALP	LIB	NAT	IND	ALP	LIB	NAT	GRN	OTHER	
<b>Victoria</b>										
Aston*		43519			33332			4492	4469	85812
Ballarat*	44191					33402		7008	3207	87808
Batman*	45551					16439		13674	3997	79661
Bendigo	50504					39466				89970
Bruce*	41754					30257		4102	4418	80531
Calwell*	51952					22906		3761	7651	86270
Casey*		41897			29949			6112	5580	83538
Chisholm	45833					34041				79874
Corangamite	45968					44426				90394
Corio	42284					27969			12788	83041
Deakin	42319					39991				82310
Dunkley		43344			33460			7240	2360	86404
Flinders*		48343			30073			7529	2810	88755
Gellibrand*	50681					19220		7898	6357	84156
Gippsland			46696		34323			7122		88141
Goldstein*		45141			28734			8846	2578	85299
Gorton*	58732					23063		5775	7262	94832
Higgins*		43761			25367			8777	3724	81629
Holt*	51689					31785		3823	5578	92875
Hotham*	44853					27451		5572	3455	81331
Indi*		46052			27203			6416	5020	84691
Isaacs	45536					36653		8172		90361
Jagajaga	51630					35905				87535
Kooyong*		45172			24599			9686	2471	81928
Lalor*	57208					28435		3836	6047	95526
La Trobe		43077			42206					85283
McEwen		48265			48253					96518
McMillan		40344			30799			4896	4576	80615
Mallee*			53227		18187			3468	8358	83240
Maribynong*	45528					23741		5396	4422	79087
Melbourne	43804					21139		21165	1475	87583
Melbourne Ports	49191					36890				86081
Menzies*		43393			29249			5291	6155	84088
Murray*		50021			19429			2377	8765	80592
Scullin*	51680					19910		4918	5113	81621
Wannon*		44834			30852			5953	3663	85302
Wills*	49050					21166		11912	4089	86217
Total	1009938	627163	99923	0	486015	614255	0	195217	136388	3168899

Electorate	Effective votes				Ineffective votes					
	ALP	LIB	NAT	IND	ALP	LIB	NAT	GRN	OTHER	
<b>Queensland</b>										
Blair	41686					36510		5083		83279
Bonner	45576					38004				83580
Bowman		41073			41009					82082
Brisbane	47526					36212				83738
Capricornia*	47508					15416	15664	2481	4011	85080
Dawson	42520						37386			79906
Dickson		41832			41615					83447
Fadden		42150			29045		7471	4767		83433
Fairfax		41366			31350			9451		82167
Fisher		42325			37384					79709
Flynn	40220						39967			80187
Forde	41419					36869				78288
Griffith*	43957					28133		6496	4212	82798
Groom*		43880			28994			4028	6348	83250
Herbert		41089			40746					81835
Hinkler			42515		39734					82249
Kennedy				54571	27748					82319
Leichhardt	44816					38127				82943
Lilley*	43058					31944		5654	2846	83502
Longman	44026					38157				82183
McPherson*		45979			29798			4986	2866	83629
Maranoa*			46293		23288			2646	6812	79039
Moncrieff*		48594			24397			5048	3262	81301
Moreton	44055					36411				80466
Oxley*	47128					26297		4128	2922	80475
Petrie	43283					39871				83154
Rankin*	44858					27299		3773	4153	80083
Ryan		42255			30864			8109	2870	84098
Wide Bay			41003		25502			7487	6641	80633
Total	661636	430543	129811	54571	451474	429250	100488	74137	46943	2378853
<b>Western Australia</b>										
Brand	45959					36673				82632
Canning		43057			31974			6649	4118	85798
Cowan		43883			40975					84858
Curtin*		46912			19419			10649	2172	79152
Forrest		47871			37879					85750
Fremantle	47253					32648				79901
Hasluck	37657					35805				73462
Kalgoorlie		32948			27602			5021		65571
Moore*		38262			22902			5906	3201	70271
O'Connor		50625			25442					76067
Pearce*		43874			27111			7277	6421	84683
Perth	46061					32205				78266
Stirling		41520			39431					80951
Swan		36420			36256					72676
Tangney*		39406			24832			6896	6365	77499
Total	176930	464778	0	0	333823	137331	0	42398	22277	1177537

Electorate	Effective votes			Ineffective votes						
	ALP	LIB	NAT	IND	ALP	LIB	NAT	GRN	OTHER	
<b>South Australia</b>										
Adelaide	51868					36757				88625
Barker		56301			38396					94697
Boothby		47322			42075					89397
Grey		45338			37682				6125	89145
Hindmarsh	49937					40767				90704
Kingston	49247					41244				90491
Makin*	44890					33390		3751	5224	87255
Mayo*		45893			27957			9849	6149	89848
Port Adelaide*	52732					22830		7935	7052	90549
Sturt		46153			44442					90595
Wakefield	45343					34989			6514	86846
Total	294017	241007	0	0	190552	209977	0	21535	31064	988152
<b>Tasmania</b>										
Bass	32553					31282				63835
Braddon	34085					32176				66261
Dennison	41982					21988				63970
Franklin	36845					30787				67632
Lyons	37292					26152				63444
Total	182757	0	0	0	0	142385	0	0	0	325142
<b>Australian Capital Territory</b>										
Canberra*	58711					40359		14878	953	114901
Fraser*	55533					33936		14546	4665	108680
Total	114244	0	0	0	0	74295	0	29424	5618	223581
<b>Northern Territory</b>										
Lingiari*	25213					16189		3231	2070	46703
Solomon	25853					25657				51510
Total	51066	0	0	0	0	41846	0	3231	2070	98213
<b>AUSTRALIA</b>										
Totals	3778816	2428000	470364	107305	2060421	2295662	259263	625344	394688	12419863
Grand Total	6784485				5635378					

(In those electorates marked with a \*, the winning candidate had over 50% of the first preference votes, and it was not necessary to distribute any preferences)

## (B) Voter representation

The election results listed in (A) can be summarised:

Party	Total votes	Effective votes		Ineffective votes	
ALP	5839237	3778816	64.7%	2060421	35.3%
LIB	4723662	2428000	51.4%	2295662	48.6%
NAT	729627	470364	64.5%	259263	35.5%
GRN	625344	0	0.0%	625344	100.0%
OTHER	501993	107305	21.4%	394688	78.6%
Australia	12419863	6784485	54.6%	5635378	45.4%
<b>Effective representation</b>		<b>54.6%</b>			
Wasted votes		45.4%			

## (C) Party representation

The election results listed in (A) also show the following:

Party	% of total vote	Corresponding proportion of seats		Seats actually won
ALP	47.0%	70.52	70	83
LIB	38.0%	57.05	57	55
NAT	5.9%	8.81	9	10
GRN	5.0%	7.55	8	
OTHER	4.0%	6.06	6	2

*This analysis has been prepared by the Electoral Reform Society of South Australia.*

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**Source:** Australian Electoral Commissior