

**LEGISLATIVE ASSEMBLY
DIVISION OF ARALUEN
BY-ELECTION 9 OCTOBER**

2010



**NORTHERN
TERRITORY
ELECTORAL
COMMISSION**

Election Report

EVERY vote counts!

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The Hon. Jane Aagaard MLA
Speaker
Northern Territory Legislative Assembly
Parliament House
Darwin NT 0800

Madam Speaker

This report provides information on the Legislative Assembly By-election for the Division of Araluen held on 9 October 2010.

The Electoral Act requires the report to be tabled in the Legislative Assembly within three sitting days after its receipt. Additional copies have been provided for this purpose.

A handwritten signature in black ink, appearing to read 'Bill Shephard', is written across the page.

Bill Shephard
Electoral Commissioner
31 October 2011

ELECTORAL COMMISSIONER'S FOREWORD

In many ways, the 2010 Araluen by-election was relatively uneventful as an electoral event. There was reasonable forewarning of the election before the actual issue of the writ, arrangements for the small electorate were uncomplicated and the election was only contested by two candidates.

The event itself was held at the same time as the Masters Games in Alice Springs and there was some conjecture about how that might affect participation. However, an analysis of non-voting responses and the increased use of pre-poll facilities would indicate that the Games, if anything, may have served to enhance participation, by encouraging electors to stay in town to either participate in or observe this major sporting event.

That being said, the raw turnout figure for the election was poor by past standards and so it was decided that special local efforts would be made to follow up non-voters in order to identify the forces that were at play.

Two things related to participation have subsequently emerged from the non-voter follow up that are noteworthy in assessing the level and nature of non-participation. The first relates to the propensity for electors to pay the non-voter penalty and the second relates to the quality of the roll itself.

There was a sharp rise in the number of people who paid the expiation fee at the Araluen by-election. In fact, 406 electors paid the \$25 fee for failing to vote without a valid and sufficient reason. Notwithstanding some increase in overall numbers of non-voters at the by-election, this does represent over four times the rate experienced at the 2008 Legislative Assembly General Election for urban divisions. As a consequence, it also gives rise to speculation about the adequacy of the penalty and the effect of 'voter fatigue' on participation (this election was hard on the heels of the Federal election).

The second point to be made is that raw turnout figures (based solely on the number of voters and the numbers on the roll) have been in continual decline nationally over the past few years due to a widely accepted deterioration in the quality of the electoral roll. Roll inaccuracies are particularly highlighted at by-elections where voting facilities are localised and, as a consequence, electors who have moved away from their enrolled address within the contested electorate are more likely to fail to vote at the poll.

Although the current quality of the roll is not only a concern for this jurisdiction, the Northern Territory is especially affected by trends towards poorer elector participation. It has a very young and mobile population and roll maintenance in remote areas is challenging at the best of times.

The electoral roll is maintained by the Australian Electoral Commission under a joint roll arrangement between the Commonwealth and the Northern Territory. As a result, the Northern Territory Electoral Commission is limited in its capacity to affect roll quality outcomes. Nevertheless, it will be making special efforts to improve roll quality by implementing several roll stimulation and cleansing initiatives in the lead up to next year's Local Government General Elections (March 2012) and the Legislative Assembly General Elections (August 2012).

In closing, I would like to thank all the Commission staff once again on their efforts in relation to the conduct of the Araluen by-election. Many of them put in long hours and spent significant time away from home to ensure the election ran smoothly.



Bill Shephard
Electoral Commissioner
31 October 2011



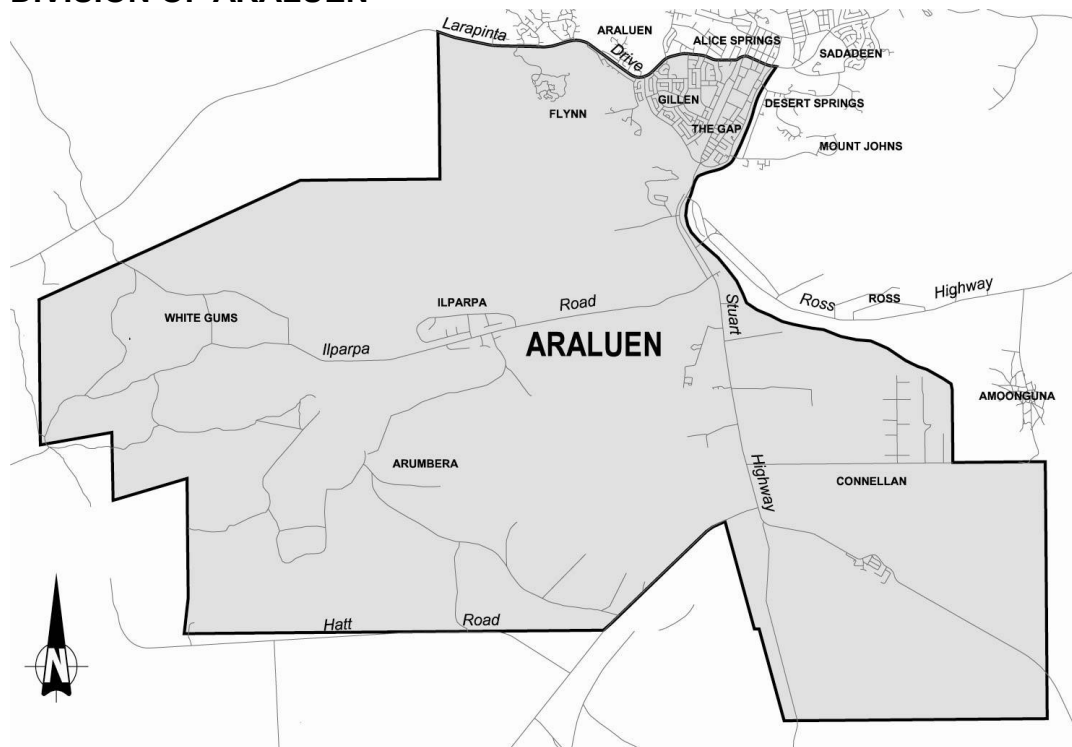
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DIVISION SNAPSHOT AND RESULT

DIVISION OF ARALUEN



By-Election Polling Locations

Early Voting Centres	Mobile Polling Venues	Static Polling Places
<ul style="list-style-type: none">• MyVote Central, Alice Springs• NT Electoral Commission, Darwin	<ul style="list-style-type: none">• Alice Springs Correctional Centre• Alice Springs Hospital• Old Timers Aged Care Facility• Yarrenyty-Arltere	<ul style="list-style-type: none">• Gillen Primary School• Yirara College

RESULT
Robyn Lambley - Country Liberals
elected by an absolute majority on primary votes

1 EXECUTIVE SUMMARY

The by-election for the Legislative Assembly Division of Araluen was held on 9 October 2010. The writ for the election was issued 20 September 2010 and the following were key dates:

• Close of rolls	8pm Wednesday 22 September 2010
• Close of nominations	Noon Friday 24 September 2010
• Polling day	Saturday 9 October 2010
• Return of writ	Wednesday 13 October 2010

The by-election was the first election to be held following amendments to the NT Electoral Act assented to on 12 March 2009. Amendments included fixed four year terms, nominations to close four days after writ issue, postal votes to be issued as soon as possible after the close of nominations and an increase in the timeframe by one day from 19 to 20 days. The last three amendments applied for the by-election.

1.1 Election snapshot

Polling Summary

Postal voting	106 votes counted (3.6%)
Commenced	Friday 24 September 2010
Ceased Overseas	6pm Tuesday 5 October 2010
Ceased Within Australia	6pm Thursday 7 October 2010
Deadline for return	6pm Friday 15 October 2010
Early voting	641 votes counted (21.5%)
Commenced	Monday 27 September 2010
Ceased	Friday 8 October 2010
Mobile polling - one team used	42 votes counted (1.4%)
Commenced	7 October 2010
Ceased	8 October 2010
Other declaration voting	2 votes counted (0.1%)
Static polling places	2184 votes counted (73.4%)
Polling day times	8am - 6pm
Poll declared	9.30am Wednesday 13 October 2010

Election Outcomes

Electors on roll	5024
Electors voting	2975 (59.2%)
Informality	131 (4.4%)
2 candidate preferred	68% CLP; 32% ALP
Election costs	\$38 177.23
Cost per elector	\$7.60

1.2 Key Result Area - Enrolment

The by-election roll closed at 8pm 22 September 2010.

The enrolment period for the by-election followed closely on, and benefited from, the roll stimulation program for the federal election held on 22 August 2010. The roll close for the Commonwealth election extended from 22 to 29 July 2010.

1.3 Key Result Area - Elections

Nominations closed 12 noon on Friday 24 September 2010. The two candidates, in ballot paper order, with affiliation were:

- LAMBLEY, Robyn Country Liberals
- FINDLAY, Adam Australian Labor Party NT (ALP)

Postal voting application forms were available on the NTEC website, from the Alice Springs post office and the NTEC offices in Alice Springs and Darwin and through the interstate jurisdictions.

Early voting centres were established at:

- **MyVote Central** , Suite 3, Yeperenye Centre, Gregory Street, Alice Springs
- **NT Electoral Commission**, 2nd Floor, AANT Building, 79 Smith St, Darwin

Mobile polling was offered at four centres:

- Alice Springs Correctional Centre
- Alice Springs Hospital
- Old Timers Aged Care Facility
- Yarrenyty-Artere

Two static polling places were opened at Gillen Primary School and Yirara College.

A total of 2975 ballot papers were accepted into scrutiny, 2844 (95.6% formal). 59.2% of eligible electors voted.

1.4 Key Result Area – Education and Information

The NTEC focused its campaign to publicise the election on the print media and also organised a leaflet delivery reminding electors of key dates. No electronic media were used so as to minimise confusion amongst the electors in the wider Alice Springs area.

Public notices, posters, media releases and the NTEC website were used to maintain contact with electors. The NTEC issued bulletins for candidates and other stakeholders to reinforce key messages.

1.5 Key Result Area – Corporate Governance

Human resource management

Full use was made of the NTEC office in Alice Springs and a video link with Darwin for the declaration of the poll.

Nineteen staff were employed for early voting, polling administration and conduct of the poll.

The cost of the election was \$38 177.23 with the NTEC absorbing, at this election, a number of costs associated with non-voter follow-up. The cost of the by-election per enrolled elector was \$7.60.

2 BACKGROUND TO THE ELECTIONS

The writ for the election was issued on Monday 20 September 2010.

2.1 Cause of the by-election

Ms Jodeen Carney, Member for Araluen, announced her resignation on 19 August 2010 from the Parliament effective 3 September 2010. She had held the seat since 2001. This was the 20th Legislative Assembly by-election since self government (See Appendix A).

The by-election was managed out of the NTEC's Alice Springs office under the direction of Mr Don McPherson. He was supported by 19 local staff and some administrative input from the Darwin office.

2.2 Division profile

Araluen is an urban electorate of 192 sq. km within the Alice Springs Town Council area. Its economic base is tourism, health services and urban residential. It encompasses suburbs to the south-west of Alice Springs including Arumbera, Connellan, Flynn, Gillen, Ilparpa, The Gap, White Gums and parts of Araluen and Alice Springs township.

The division was created at the 1983 redistribution. It was named after 'Araluen', the residence of the late E J Connellan whose homestead was on the west side of town. It is believed to be an Aboriginal name meaning 'the place of lagoons and water lilies and running water'.

Three persons have held the seat:

J T Carney	CLP	2001 - 2010
E H Poole	CLP	1986 - 2001
J R Robertson	CLP	1983 - 1986

2.3 2008 Legislative Assembly election result

Three candidates stood at the 2008 election, one each for the ALP, CLP and The Greens. The margin, after the distribution of preferences was:

ALP 25.3%, CLP 74.7%. The vote margin was 1784.

Voter turnout in 2008 was 74.6% and the informality rate was 2.4%.

2.4 Federal Election August 2010 – impact for LA roll and planning

The 2010 federal election on 22 August 2010 preceded the calling of the Araluen by-election and the extensive advertising and media comment associated with that event had a significant impact on the roll by reminding residents of their obligation to enrol or update their details on the roll. See Section 3.1.

2.5 Election timetable

* NT Electoral Commission policy - not set by legislation.

Electoral Act Section (s)	Critical date	Day No.	Day	Date
Week 1				
s28	Issue of writ	1	Monday	20 September 2010
s8	Close of Roll (2 days AFTER writ issue)	3	Wednesday 8pm	22 September 2010
ss28 & 34	Nominations Close Draw for Position on Ballot Paper (4 days AFTER writ issue)	5	Friday 12 noon	24 September 2010
s62	Postal voting commenced (ASAP after draw by lot to determine order of candidate names on the ballot paper)			24 September 2010
ss3, 69	Early voting commenced (AFTER draw by lot to determine order of candidate names on the ballot paper)		Determined by Commission	Monday 27 September 2010
Week 2				
s3	Mobile polling can commence (9 days AFTER writ issue)	10	Wednesday	
Week 3				
	Mobile polling commenced			Week beginning Monday 4 October 2010
s62(3)(a)	Postal mail-out ceased to addresses overseas	16	Tuesday 6pm	5 October 2010
s62(3)(b)	Postal mail-out ceased to Australian addresses	18	Thursday 6pm	7 October 2010
s3, 70	Pre-election voting ceased	19	Friday 6pm	8 October 2010
ss3, 28	POLLING DAY (19 days AFTER writ issue) Static voting commenced 8am Static and mobile polling ceased 6pm	20	Saturday	9 October 2010
Week 4				
s112(1)(a)	Deadline for the receipt of postal votes (6 days AFTER polling day)	26	Friday 6pm	15 October 2010
s131	*Declaration of the poll (as soon as practicable)			

3 KEY RESULT AREA – ENROLMENT

3.1 Liaison with electors

Given the considerable enrolment activity generated by the federal election in August 2010, it was anticipated that the roll for the by-election would be in relatively good shape, in terms of current residents. However, it was still expected to be inflated because of the lack of action taken to remove electors by objection from the roll since the suspension of objection action for the Federal election, which included processing of information received through the non-voters process following that event.

Enrolment for the October by-election was prompted by extensive party campaigning and press comment that took place after the member's resignation was made public and before the official announcement of the close of roll date. With the issue of the writ, the NTEC advertised the enrolment deadline with signage around Alice Springs, press advertising and a letterbox drop to all households in the electorate.

3.2 Enrolment transactions

Total enrolment in the division had been relatively stable since the 2008 Legislative Assembly general election. For the 12 months to 30 June 2010 there were 633 additions to the Araluen roll, mainly as transfers from elsewhere in the Territory and interstate, and a corresponding transfer out of 409 electors to other divisions. The names of a further 309 electors were removed from the roll during 2009-10 on the ground that they were apparently no longer resident at their enrolled address.

After 1 July 2010, the federal election became the main stimulus to enrolment and, as a consequence, over the three months up to the announcement of the by-election there was considerable enrolment activity in the division. From 1 July to the close of rolls on 22 September, there were 512 additions to the Araluen roll (including 67 first time enrolments) and 338 deletions, the latter being for transfers to addresses outside the division. Only 15 of these enrolments were received during the by-election close of rolls period, a not unexpected response given the extent of enrolment activity generated by the federal election.

At the close of the by-election roll on 22 September 2010, 5024 electors were enrolled to vote.

Table: Electors by gender at roll close

Gender	No.	%
Female	2 599	51.7
Male	2 425	48.3
Total	5 024	

3.3 Roll products

Immediately after the close of rolls at 8pm on Wednesday 22 September, the Australian Electoral Commission provided the NTEC with data for the production of reference rolls and certified lists and the mailing of ballot papers to registered postal voters. Early printing of rolls took place to allow the operation of early voting centres and an electronic version of the roll was created for the marking up of voters post election to identify apparent non-voters.

4 KEY RESULT AREA – ELECTIONS

4.1 Nomination processes

The Commission's offices in Darwin and Alice Springs were open to receive nominations during office hours from Thursday, 23 September, the day after the roll close, until 12 noon on Friday, 24 September 2010.

Candidate packs were available from the Commission's offices in Darwin and Alice Springs or the nomination forms and handbooks could be downloaded from the NTEC website. Each candidate pack contained:

- A nomination form
- A candidate's handbook
- Scrutineer appointment forms
- Postal vote applications with return envelopes and
- Enrolment forms with return envelopes.

At the close of nominations, two had been received at MyVote Central in Alice Springs. Both were endorsed and nominated by parties with one candidate each from the CLP and ALP. The party name was listed underneath each endorsed candidate's name on the ballot paper.

Immediately after the close of nominations at MyVote Central, the draw for positions on the ballot paper took place, with the following ballot paper order being established:

1. LAMBLEY, Robyn Country Liberals
2. FINDLAY, Adam Australian Labor Party NT (ALP)

For the first time the NTEC used a video link to the Darwin office to enable all interested parties to observe the declaration of nominations for the Legislative Assembly.

In the 2005 election report, the Commission advised that the declaration of nominations and draw for the positions on ballot papers was a protracted process, which could be expedited and made more accessible to the media, candidates and other interested parties, by being conducted in regional areas. The Commission's view has not altered in this matter.

4.2 Voting services

Electors were given a range of options for voting at the by-election:

- Postal and early voting at the Commission's offices in Darwin and Alice Springs
- Mobile polling at four locations - Alice Springs Correctional Centre, Alice Springs Hospital, Old Timers Aged Care Facility and Yarrenyty-Artere Town Camp
- Static polling places at Gillen Primary School and Yirara College opened from 8am to 6pm on polling day.

The NTEC also provided:

- Personal data assistants (PDAs) listing the entire electoral roll for the Territory for use in both polling places and by the mobile polling team to assist electors whose names could not be located on the roll for Araluen; and
- Advice to candidates and their parties of polling venues' requirements with regard to the placing of campaign signage and the time from which the set up of the signage could commence.

Comparisons between the 2008 general election and the 2010 by-election show that the roll increased by 62 electors, voter turnout suffered the traditional decrease for by-elections (15.4% in this case), and informality increased by 2.0% while the number of candidates decreased from three to two. As with all by-elections there is no absent voting or interstate polling facilities and therefore turnout is inevitably affected (see table below). The lack of absent votes also serves to skew the relative percentages of each type of vote.

Table: Vote details for Araluen at the 2008 general election and 2010 by-election.

	2008 General Election		2010 By-election		+ -
	No.	%	No.	%	
Participation					
Electors on roll	4962		5024		+62
Formal votes	3614	97.6	2844	95.6	-770
Informal votes	90	2.4	131	4.4	+41
Total votes admitted	3704	74.6	2975	59.2	-729
Type of Vote Cast					
Ordinary votes	2520	68.0	2226	74.8	-294
Absent votes	433	11.7	nil	0.0	N/A
Postal votes	115	3.2	106	3.6	-9
Early votes	632	17.0	641	21.5	+9
Declaration votes	4	0.1	2	0.1	-2

4.3 Postal and early voting

Postal voting is available to electors who cannot attend a polling place on polling day. Where electors have an ongoing reason for being unable to attend (eg religious reasons or infirmity), they may register as a Registered Postal Voter (RPV) and ballot papers are automatically mailed to them without the need to lodge an application at the time of the election. Under the *Electoral Act*, Territory voters are eligible RPVs if they have also registered with the Australian Electoral Commission as General Postal Voters under the *Commonwealth Electoral Act 1918*. A total of 47 NT electors were registered as RPVs for Araluen at the time of the by-election.

Postal voting is also available to electors who meet one of a number of prescribed criteria (eg travelling, illness, distance from a polling place, etc.) that makes attendance at a polling place difficult or impossible on election day.

Postal voting papers were mailed from Darwin on the Friday afternoon following the close of nominations on 24 September 2010. The following table shows details of the dispatch and return of postal votes issued to registered postal voters:

Table: Details of postal votes issued to registered postal voters

Event	Registered Postal Votes: Issued and Returned			
	Issued	Returned		Not Returned
		Before cut off time	After cut off time	
2010 By-election	47	31	1	15

A total of 163 postal ballot papers (including both election specific and registered postal vote applications) were sent out to electors and 116 (71.2%) were returned within the time allowed.

The following tables show response rates and processing details for the postal voter service:

Table: Postal votes issued and returned

Total Postal Votes Issued and Returned	No.	%
No. of postal voting papers issued	163	
Postal Votes Returned		
By deadline	116	71.2
Unclaimed	0	0
After deadline	8	4.9
Not Returned	39	23.9

Table: Postal votes received before deadline - admitted or rejected

Postal Votes Received before Deadline - Admitted or Rejected	No.	%
No. returned by deadline	116	
Admitted for further scrutiny	106	91.4
Rejected - not signed/witnessed	5	4.3
Rejected - declaration signed after polling day	5	4.3

On the day before polling day, after the despatch of postal votes deadline had been reached, a batch of six postal vote applications were received through the mail in the Alice Springs office.

Although the period for postal voting had closed under the *Act*, the Commission was able to contact all the electors concerned and arrange voting for them. The special attention afforded the six postal applicants on this occasion cannot be guaranteed at future elections, especially a general election where Commission resources are fully committed.

Early voting facilities were available at the NTEC's offices in Darwin and Alice Springs. In accordance with the *Act*, the early voting centres were open for the two weeks before polling day. A total of 641 votes were taken at the early voting centres (21.5% of all votes), an increase of nine votes on the 2008 General Election.

4.4 Mobile polling

Four places were appointed as mobile polling locations and polled by one mobile polling team over a two day period on the Thursday and Friday before polling day. A total of 42 votes were taken. The mobile polling schedule is at Appendix B.

Polling at the Yarrenyty-Artere town camp was disappointingly low and, after the election, the NTEC conducted a review as part of the non-voter program – see 4.10.

4.5 Ordinary voting

Ordinary voting took place at two static and four mobile polling locations. A total of 2226 ordinary votes were cast, a decrease of 294 votes from 2008. Although, when compared to the total votes polled, this represents a 6.8% increase in ordinary votes over the 2008 General Election, a common occurrence when absent voting is unavailable. See section 4.7 for details of the election results including ordinary votes lodged at each polling place.

4.6 Declaration voting – names not found on roll

Declaration votes are issued to people whose names cannot be found on the roll and are placed in envelopes. Four declaration votes were admitted for further scrutiny at the 2008 General Election compared with two at the by-election. The table below gives a comparison between the elections of the declaration votes cast, admitted to the count and reasons for rejection.

Table: Declaration vote details for Araluen, 2008 general election and 2010 by-election

Event	Declaration Envelopes					
	Submitted	Admitted for Further Scrutiny	Rejected from Further Scrutiny			
			Not on Roll	Enrolled Elsewhere	No Signature	Total Rejected
2008 General Election	25	4	13	8	0	21
2010 By-election	22	2	5	15	0	20

4.7 Declaration of the poll and return of the writ

The poll was declared at 9.30am on Wednesday, 13 October 2010. At that point, the outstanding ballots could not influence the result and the Commission declared the result after the votes polled in polling places were checked and all possible declaration votes (with the exception of a handful of postal votes) had been admitted to the count.

The declaration of the poll took place at MyVote Central in Alice Springs, with a video link to the Darwin office. The writ for the election was returned to the Administrator on the same day.

Results of the Division of Araluen by-election 9 October 2010

LEGISLATIVE ASSEMBLY BY-ELECTION 9 OCTOBER 2010 DIVISION OF ARALUEN

Electors on roll:	5024
Total ballot papers counted as % of enrolment	59.2
No. votes required for election:	1423
Counting resulted in the following candidate being elected:	

Elected: Robyn LAMBLEY

FINAL COUNT FIGURES

Polling Place/Declaration Type	1st Preference Votes for each Candidate		Ballot Papers Counted		
	LAMBLEY, Robyn (CL)	FINDLAY, Adam (ALP)	Formal	Informal	Total
Gillen	1200	574	1774	85	1859
Yirara	224	91	315	10	325
Mobile	21	20	41	1	42
Pre-poll	409	202	611	30	641
Postal (includes 2 declaration votes)	81	22	103	5	108
Ballot Papers Counted	1935	909	2844	131	2975
%	68.0	32.0	95.6	4.4	

4.8 Informal votes

One hundred and thirty-one informal ballot papers were counted at the by-election, an increase of 41 or 22.7% from the 2008 General Election. The number of candidates standing at the by-election decreased to two from three at the 2008 General Election. The following table gives a comparison of the informal votes at the elections by category and likely voter intent.

Table: Informal votes at the Araluen 2008 and 2010 elections by category and likely voter intent

Informal Category	2008 General Election		2010 By-election	
	No.	%	No.	%
Apparent Intentional Informality	60	66.7	97	74.0
Apparent Unintentional Informality	30	33.3	34	26.0
TOTAL	90		131	

See Appendix C for further details of the analysis of informal ballot papers.

4.9 Voter turnout

The by-election turnout was 59.2%, whilst the turnout at the 2008 General Election was 74.6%, a reduction of 15.4%. This was generally disappointing; however, it reflected a number of factors that included:

- Traditional lower turnouts at by-elections due to limited non-local voting facilities and public awareness activities being limited to local areas. (Note: At the 2008 General Election, 433 absent votes were polled for Araluen, 11.7% of the total votes polled).
- Low number of candidates
- There was some voter confusion with the Araluen divisional name and the Araluen suburb. This was the first by-election conducted since the introduction of suburb names in Alice Springs and there was confusion with voters living in the suburb of Araluen but not the division of Araluen and vice versa.
- An inflated roll due to limited objection action over an extended period.

Turnout rates for the previous four NT urban by-elections are shown below for comparative purposes.

Table: Turnout rates for the previous four NT urban by-elections

By-election Division and Year	No. of Candidates	By-election			Previous General Election			% Variation
		No.		% Voting	No.		% Voting	
		Voters	Electors		Voters	Electors		
Araluen 2010	2	2975	5024	59.2	3704	4963	74.6	-15.4
Greatorex 2007	4	3366	4564	73.8	3908	4529	84.1	-10.3
Port Darwin 2000	4	3432	4868	70.5	3384	4012	84.4	-13.9
Blain 1999	4	3570	4610	77.4	3632	4091	88.8	-11.3
Wanguri 1999	4	2998	3878	77.3	3320	3902	85.1	-7.8

The lack of notice and lower profile of a by-election normally leads to a reduced public awareness in the electorate. Early voting centres were not available in regional centres and the lack of absent voting services across the NT contributes to a traditional lower turnout for by-elections in comparison to general elections.

4.10 Non-voting

Data extracted from the certified lists of electors marked by officials indicate electors who have been issued with a ballot paper at the election. This data is supplemented with information regarding electors who failed to vote but have a valid and sufficient reason.

The NTEC commenced non-voter enquiries as soon as possible after the by-election, mailing 1577 non-voter notices within three weeks of polling day. In-house processing of non-voters from the small number of voting lists replaced the usual scanning by an external contractor (as had taken place at previous Legislative Assembly elections) in the interests of accelerating the process. The time taken to prepare a non-voter file and mail notices to electors was reduced to three weeks for the by-election, compared with 9-12 weeks at a general election. Details of the program are in the following table.

Table: By-election non-voter program details

Araluen By-Election Non-Voter Action	No.	%
Electors who appeared to have failed to vote	2049	
Electors culled from information received before or on polling day	119	
Electors reviewed by fieldwork (not sent a notice)	353	
Notices issued (after culling from information received but not including review fieldwork)	1577	
Elector replied to notice – penalty (\$25) paid	406	25.7
Electors replied to notice - a valid and sufficient reason for failing to vote	290	18.4
Notices returned unclaimed	194	12.3
Notices not returned/Electors identified for follow up action	687	43.6

The first mailing was followed up with a reminder notice mailed on 12 November.

By mid December 944 responses had been received to the 1577 first non-voters letters sent, of which 255 (27% of replies) indicated that the elector had permanently left their enrolled address. The overall response rate of 49% was the same as for non-voter mailing for the whole of the Territory at the 2008 general election, as was the proportion of mail returned marked 'Left Address'.

Additional fieldwork was undertaken in early December at the six Aboriginal communities within the division. Representatives in a number of the communities worked with NTEC officers and provided information about the accuracy of the roll and particularly as to whether the 353 apparent non-voters enrolled were still permanently resident. The results of the enrolment checks were:

Table: Results of enrolment checks in six Aboriginal communities within the division.

Category	No.
Currently a resident at the community at which enrolled	130
Permanently left to a new address	105
Uncertain if still a permanent resident	111
Deceased	6
Duplicated enrolment	1

Without an extensive door-knock at the non-responding addresses, it was not possible to accurately quantify all of the reasons for electors not voting. Based on the information provided by the local assistants, the 105 electors who had permanently left had moved in roughly equal proportion to other communities within Alice Springs, to remote communities to the west and south of the town and to interstate communities in South Australia, Western Australia and Queensland.

A telephone follow up program to clarify the enrolment details of the remaining 687 electors was undertaken by the Alice Springs office. 186 non-voters were investigated resulting in a further 65 electors being included for objection action. At that time, verbal non-voter warnings were issued to those electors contacted who were still residing at the same address.

Notices returned unclaimed, advices that the elector had permanently left the address and information from the telephone follow up were forwarded to the Australian Electoral Commission for objection action. The remaining 501 electors were also listed for follow up by fieldwork or further correspondence to establish whether objection action is required.

4.11 Nomination deposits

Candidates are required to lodge a deposit of \$200 at the time of their nomination. These nomination deposits are forfeited to the Territory unless the candidate is elected or polls more than 20% of the total of 1st preference votes cast for the successful candidate. After the election, the deposits for both candidates, Lambley and Findlay, were returned.

4.12 Disclosure returns

Both candidates standing in the by-election were required to complete disclosure returns which were submitted by the deadline of 21 January 2011. Summaries of the returns, both nil returns, were placed on the Commission's website and full copies were made available for public inspection at its offices in Darwin and Alice Springs.

4.13 Complaints

Two formal complaints were received during the by-election, one from the Australian Labor Party (ALP) and the other from the Country Liberals (CL). The ALP complaint alleged false advertising by the CL, whilst the CL complaint alleged that a misleading how-to-vote card was being distributed by the ALP.

In relation to the ALP allegation, the *Electoral Act*, like the vast majority of other jurisdictions, does not contain specific provisions that would make the Commission responsible for policing truth in advertising. Generally, allegations of slander and libel are seen as matters between individuals and the ALP were advised to seek their own legal advice and remedies where this is believed to have occurred.

The CL complaint concerning the how-to-vote card was assessed by the NTEC, which included advice from the Solicitor-General, and the how-to-vote card was deemed not to be misleading, for the purposes of the Act.

Two further matters of concern were raised during the election period and they were:

1. An elector raised the authorisation of letters to the editor published in the *Centralian Advocate*. The NTEC wrote to the editor of the *Centralian Advocate* providing information about requirements to publish an author name and address for published letters referring to candidates and parties during a Legislative Assembly election.
2. Verbal complaints were received in relation to a voter card distributed by the Australian Labor Party which included date of birth details on the card. The concern was that these details were private and they should not be printed on a document which allows others to view that information. As this matter does not breach the Act, the concerns raised were referred to the Australian Labor Party for consideration with regard to future mailouts of this type.

5. KEY RESULT AREA – EDUCATION AND INFORMATION

5.1 The NTEC role and strategies

Commencing from the issue of the writ for the by-election, the NTEC implemented public awareness and media management activities needed to publicise the election and meet statutory obligations.

A challenge for the public awareness campaign was to identify those parts of the division of Araluen where information about voting services could not be delivered by Australia Post. The NTEC focused on preparing an information strategy that included:

- Implementing an advertising campaign using a dedicated NTEC election banner
- Monitoring media reports and editorial comment
- Using the NTEC website as a major tool to provide election information
- Issuing regular election bulletins and media releases to stakeholders to provide information at key stages of the election timetable and to clarify matters as they arose
- Providing a call centre for general enquiries
- Publishing statutory notices in local newspapers and
- Supplementing advertising with direct and householder mail to all enrolled electors within the division and posters advertising voting services that were distributed by e-mail and displayed on community notice boards and at community venues.

The prime objective was to notify all Araluen division electors of how, when and where to enrol and to vote.

Customised initiatives were undertaken with posters, direct and householder mail so not to confuse electors with an enrolled address outside the Araluen division area. This type of public awareness campaign followed templates that had already been rolled out for other by-elections where special issues and needs existed.

5.2 Public notices

Public notices were distributed in PDF format for newspaper placement and adapted as public display posters, web pages and e-mail attachments. The notices formed a major part of advertising for the election in respect to:

- Issue of the writ and close of roll deadline
- The call for nominations and the nominations deadline
- Declaration of nominations and draw for ballot paper positions
- Display of candidate personal contact details
- Arrangements and deadlines for postal voting
- The location and opening hours of early voting centres
- The mobile polling schedule
- Static polling places and times and
- Public declaration of the results of poll.

Statutory notices for issue of the writ, close of roll deadline, call for nominations and voting services were placed in newspapers circulating in the local area. Notices were placed in the Centralian Advocate for publication on Tuesdays and Fridays and the NT News as an alternative when Centralian Advocate artwork deadlines could not be met.

Four individual notices were prepared for display at locations visited by mobile teams, advertising the individual day and time that polling would be undertaken.

Public Events

The public declaration of nominations, draw for positions on the ballot paper and declaration of result took place at the NTEC office in Alice Springs, MyVote Central, with a video link to the Darwin office. This was the first time the NTEC had used this technology to enable all interested parties to observe the declarations for the Legislative Assembly. Interested parties, the media and the public were invited to attend. The successful candidate was in Darwin for the declaration of the poll and was able to address those in attendance at both locations through this medium.

5.3 Advertising – NTEC, party and candidate advertising

A large part of the public awareness program was to provide statutory advertisements in newspapers, direct and householder mail and information posters at the local level in support of the roll-out of voting services. As already stated, the NTEC chose to run a targeted, local campaign and not to use mainstream radio and television so as to minimise confusion for electors with an enrolled address outside the Araluen area.

The NTEC smart number 1800 MYVOTE and website (www.ntec.nt.gov.au) was widely publicised on all advertising. A recurring theme was the requirement to vote for persons enrolled for an address in Alice Springs CBD (south of Stott Terrace), Araluen (south of Larapinta Drive), Arumbera, Connellan, Flynn, Gillen, Ilparpa, The Gap and White Gums.

Direct and householder mail included information on early voting services and postal voting, with a detailed map showing polling day locations and times. This map was also used for supplementary advertising on the NTEC website and a newspaper advertisement on polling day to remind electors of polling hours at static polling places and providing disabled access details.

The cost of advertising placed with the Centralian Advocate and Northern Territory News was \$4332.12. Total public awareness expenditure was \$9587.89 (GST inclusive) which was approximately 25% of the total election budget.

Campaigning by candidates, substantial commentary by local broadcasters and numerous articles in the local newspapers in the lead up to polling day also assisted in notifying electors of their voting obligations. It is understood the candidates doorknocked and telephoned electors extensively during the course of the campaign.

All notices produced by the NTEC were communicated in English. The Commission's notices and advertising content were developed in-house by NTEC staff and placed directly with publishers as well as forwarded to key stakeholders for distribution and display on community notice boards.

The chronological order of public awareness activities and advertising for this election is provided at Appendix D.

5.4 NTEC information and advice for stakeholders

Three election bulletins were prepared and distributed electronically to selected stakeholders according to the election timetable. The bulletins included information about:

- candidate advertising obligations
- the authorisation of campaign materials and
- the timing and placing of campaign signage in compliance with the various venue stipulations.

Direct and householder mail to electors was a key part of the awareness campaign and a DL brochure was sent to approximately 5500 addresses. Australia Post did not deliver to all electors with an enrolled address in the division so the brochure had to be delivered in three ways, depending on location, namely:

- unaddressed mail to all households with street addresses in Gillen and The Gap
- personally addressed mail to all enrolled electors with addresses in Arumbera, Connellan, Flynn, Ilparpa and White Gums and
- householder delivery to addresses falling in the division suburb areas of Alice Springs CBD (south of Stott Terrace) and Araluen (south of Larapinta Drive).

Information about postal and early voting and polling place locations was provided in posters placed in shopping centres, community centres, cafes, nursing homes, and clubs etc around the division.

NTEC officials liaised with the Tangentyere Council over voting services to electors within the Yarrenyty-Artere Town Camp, to make them aware of the time and location of mobile polling.

5.5 Media liaison

Information materials and media releases (7) were distributed by e-mail to known media contacts and stakeholders and a media monitoring agency provided timely advice of emerging issues.

5.6 Call centre and website

An election hotline using the NTEC smart number **1800 MYVOTE** was staffed with experienced officers who had online access to the roll and the NTEC website to allow for an immediate response to enrolment and voting queries. The hotline was operable during business hours and on polling day. The NTEC estimates that 63 calls were received from electors (prior to polling day) notifying that they or members of their family would not be able to reach a polling place to vote, mainly because they were travelling or working interstate or overseas.

Statistics on website page views were maintained. These show that for the election period and up to the final count of ballot papers, a total of 825 views were made, including 97 for candidate information, 67 for voting services and voting locations and 578 for results (70% of total page views).

6 KEY RESULT AREA – CORPORATE GOVERNANCE

6.1 Human resource management

An experienced electoral officer was contracted to the Alice Springs office, MyVote Central, to act as regional co-ordinator. The two office personnel who, at the time, job shared in the Alice Springs office worked full time during the by-election to cater for the additional election administration and support the early voting program. An additional staff member was employed for the final two days before the election and on the Monday following the election.

Two or three staff members were employed on the mobile polling team. Three were allocated for polling at Yarrenty-Artere Town Camp due to the numbers enrolled, though turnout was disappointingly low.

The table below shows the positions held by the 17 staff employed at the two static polling places.

Table: Static positions by polling place

Polling place	Positions					Total
	OIC	2IC	DV Officer	OV Officer	LIN	
Gillen	1	1	1	7	2	12
Yirara	1	0	1	2	1	5
Total	2	1	2	9	3	17

OIC/2IC- Officer in charge/2nd in charge

DV /OV Officer – Declaration vote/ordinary vote issuing officer

LIN – Linguist

6.2 Regional centre deployment and management

The Electoral Commissioner delegated his electoral powers to two officers in Darwin and the regional co-ordinator in Alice Springs for the by-election.

Apart from the ballot papers, certified lists and election forms that were printed in Darwin and dispatched to Alice Springs, the regional co-ordinator managed the day to day operations of the by-election.

The Commissioner travelled to Alice Springs for the close of nominations, polling day and the declaration of the poll.

6.3 Information technology and communication support

Existing ITC structures were utilised in both Alice Springs and Darwin. DBE placed the NTEC on standby to receive a higher level of support services to both offices for the election period though these were not required. PDAs, loaned by the Australian Electoral Commission, provided additional roll access for polling officials.

6.4 Election expenditure

Expenditure for the election was \$38 177.23. Approximately 53% was allocated to employee expenses (not including ongoing salaries) and 47% to operating expenses - see the table below.

The cost of the by-election per enrolled elector was \$7.60. This compares with \$8.21 per elector for the last Legislative Assembly by-election for the division of Greatorex on 28 July 2007. However, as noted below, the NTEC absorbed some of the program costs for the follow-up of non-voters.

Budgets cover the NTEC's four strategic areas:

1. Enrolment activities
2. Election conduct
3. Election awareness and publicity and
4. Corporate support.

Table: Araluen by-election costs

OPERATIONAL EXPENSES	\$ GST exclusive	% of total costs
Property/ Premises Hire	2061.07	5.40%
Printing	2560.84	6.71%
Equipment (stationery, consumables etc)	0	0.00%
Public Awareness (advertising, publicity etc)	4332.12	11.35%
Travel (airfares, polling official TA, accommodation etc)	4297.92	11.26%
Vehicles (hire, fuel etc)	629.58	1.65%
ITC and Communications	1574.56	4.12%
Freight and Postage	2303.67	6.03%
Miscellaneous costs	0	0.00%
Subtotal Operational Expenses	17759.76	46.52%
EMPLOYEE EXPENSES		
Permanent Staff Overtime	2318.07	6.07%
Agent Services (secondments, fees including travel allowance if applicable)	0	0.00%
Election Staff (polling and office support)	15773.19	41.32%
Payroll Tax/Super & Other Staff	2326.21	6.09%
Subtotal Employee Expenses	20417.47	53.48%
TOTAL	38177.23	100.00%

Notes:

- The above costs do not include notional costs for recruitment and payroll processing by the government service provider Department of Business and Employment Services.
- The NTEC has now modified its election costs template:
 - ITC now includes telephone charges
 - Freight and postage costs have been combined
 - Miscellaneous costs is a separate category – at this by-election, all costs were able to be ledgered to major cost centres.
- Direct and tangible non-voter costs are included in the above figures. The NTEC absorbed a number of staffing, processing and postage costs associated with the non-voter program.

6.5 Operating controls and costs

The NTEC is not funded to conduct Legislative Assembly general or by-elections. Costs are met initially by the Commission from its annual operational budget and recouped later from Treasury to meet the expenses incurred. The Commission regularly advises Treasury of the estimated costs of holding urban and remote by-elections – the costs can differ substantially because of the extensive mobile polling required in remote electorates.

The normal financial program controls were put in place for staff payroll transactions and the processing of other election expenses.

APPENDIX A - LIST OF LEGISLATIVE ASSEMBLY BY-ELECTIONS SINCE 1976

DIVISION	PREVIOUS GENERAL ELECTION				BY-ELECTION				
	Date	Elected	STL %	PVM %	Cause	Date	Elected	STL %	PVM %
Araluen	18.06.2005	Carney CLP (3)	7.4		Res.	9.10.2010	Lambley CLP (2)	18.1	
Greatorex	18.06.2005	Lim CLP (3)	1.5		Res.	28.07.2007	Conlan CLP (4)	15.4	
Stuart	18.06.2005	Toyne ALP (2)	21.1		Res.	23.09.2006	Hampton ALP (6)	17.7	
Katherine	18.08.2001	Reed CLP (5)		2.3	Res.	4.10.2003	Miller CLP (5)	4.4	
Port Darwin	30.08.1997	Stone CLP (3)		14.6	Res.	11.03.2000	Carter CLP (4)		1.1
Blain	30.08.1997	Coulter CLP (2)	23.9		Res.	31.7.1999	Mills CLP (4)	3.4	
Wanguri	30.08.1997	Bailey ALP (2)	2.1		Res.	31.7.1999	Henderson ALP (4)		3.7
Stuart	4.06.1994	Ede ALP (2)	2.0		Res.	28.09.1996	Toyne ALP (2)	5.3	
Arnhem	4.06.1994	Lanhupuy ALP (2)	24.6		Res.	7.10.1995	Ahkit ALP (4)		1.9
Fannie Bay	4.06.1994	Perron CLP (2)	8.0		Res.	17.06.1995	Martin ALP (2)	1.4	
Arafura	27.10.1990	Tipiloura ALP (2)	16.6		Dec'd.	7.11.1992	Rioli ALP (3)		14.1
Millner	27.10.1990	Smith ALP(2)	6.8		Res.	7.12.1991	Parish ALP (4)		1.2
Wanguri	7.03.1987	Dale CLP (3)	9.5		Res.	19.08.1989	Bailey ALP (5)	8.1	
Flynn	7.03.1987	Hanrahan CLP (3)		0.6	Res.	10.09.1988	Floreani NAT (3)	5.5	
Barkly	7.03.1987	Tuxworth CLP (4)	0.6		GE result voided	5.09.1987	Tuxworth NAT (4)	6.0	
Araluen	3.12.1983	Robertson CLP (3)		11.8	Res.	19.04.1986	Poole CLP (2)	7.0	
Jingili	3.12.1983	Everingham CLP (2)	21.9		Res.	15.12.1984	Setter CLP (2)	5.0	
Millner	7.06.1980	Isaacs ALP (2)	1.9		Res.	21.11.1981	Smith ALP (5)	4.3	
MacDonnell	7.06.1980	Perkins ALP (2)	7.7		Res.	28.03.1981	Bell ALP (2)	17.8	
Alice Springs	19.10.1974	Kilgariff CLP (3)		22.3	Res.	7.02.1976	Manuell CLP (3)		3.3

Res. - Resignation
STL - Swing to lose

Dec'd. - Deceased
PVM - Primary Vote Majority

(-) - Number of candidates

Note: A full distribution of preferences has only taken place as a matter of course since 2005. Prior to that, counting ceased when a candidate received an absolute majority. However, the STL can be calculated prior to 2005 if only two candidates contested the election; or where three or more candidates contested the election and a full distribution was required in order to establish a winner.

APPENDIX B - MOBILE POLLING SCHEDULE

Mobile Team 01

Date	Polling Venue	Hours of Operation
7 October 2010	Yarrenyty-Arterre	9.00 – 11.15
	Old Timers Aged Care Facility	13.45 – 16.00
8 October 2010	Alice Springs Correctional Centre	9.15 – 11.00
	Alice Springs Hospital	12.00 – 15.00

APPENDIX C - DETAILS OF THE ANALYSIS OF INFORMAL BALLOT PAPERS – ARALUEN BY-ELECTION

SUMMARY OF INFORMAL BALLOT PAPER SURVEY - ARALUEN BY-ELECTION 9 October 2010

Division	No. Candidates	Apparent Deliberate Informality					Apparent Uninformed Informality											Total	
		Totally Blank	Scribble	All the same	Other	Sub-Total	1st preference	✓ or ✕	✓ or ✕ + preferences	Duplicated	Non-Sequential Numbering	Incomplete Numbering	Illegible	Signed	Alpha Used	Incorrect Issue	Sub-Total		
Araluen	2																		
Mobile								1										1	1
Pre-poll		4	7	5		16		13					1					14	30
Postal		4	1			5													5
Gillen		25	26	12	5	68		16			1							17	85
Yirara		1	3	4		8		2										2	10
Total No.	2	34	37	21	5	97	0	32	0	0	1	0	1	0	0	0	0	34	131
%		26.0	28.2	16.0	3.8	74.0	0.0	24.4			0.8	0.0	0.8					26.0	

LEGEND

Blank	As described	Duplicated	Preferences repeated eg 1, 2, 2, or 1, 2, 3, 3
Scribble	Slashes or comments dismissive of voting	Non-sequential	Sequential preferences omitted eg 1, 2, 4, 6,
All the same	eg 1, 1, 1, 1 or x, x, x, x	Incomplete	Insufficient preferences recorded eg 1, 2, 3 only for 11 candidates
Other	Insertion of own candidate's name	Illegible	As described
1st preference	Marked with 1 only	Signed	Elector identified
✓ or ✕	Marked with a tick or cross only	Alpha used	Elector used eg A, B, C, D to indicate preferences

APPENDIX D - SUMMARY OF PUBLIC AWARENESS ACTIVITIES

Medium	Key Messages	No.
Newspaper Placements	<ul style="list-style-type: none"> • Issue of writ, call for nominations and close of roll • Early/early voting and postal voting services • Mobile polling locations and times • Static polling place locations 	5
Media Releases	<ul style="list-style-type: none"> • Issue of writ; electoral roll closing/closing today; key dates • Declaration of nominations; nominations closed/draw for positions on ballot papers; Invitation to attend declaration • Candidates names and ballot paper positions; early voting commences • Voting for the division of Araluen; polling places • Polls closed; count begins • Preliminary results • Declaration of the poll 	7
Election Bulletins	<ul style="list-style-type: none"> • Close of roll, nomination, early & postal voting, authorisation of campaign materials, signage • Scrutineers, mobile polling, campaign signage at polling places, counts & results timetable • Results, declaration of the poll, removal of signage 	3
Posters Distributed	<ul style="list-style-type: none"> • Timetable • Nominations invited and close of roll • Early voting services • Division of Araluen map • Mobile polling locations and times for communities and organisations 	9
Website Page Views	Enrolment, Timetable, Forms, Division Profile, Advertising, Media Releases, Voting Services, Candidate Information, Election Results, Legislation	828
Call Centre Enquiries	Enrolment; voting services; general enquiries	63
Direct and Householder Mail	Direct mailout to all electors with an undeliverable residential address. Householder mail delivery to electors with a deliverable residential address providing details of roll close; early voting; postal voting and polling place locations	5500
Public Events	Declaration of nominations; declaration of the poll	2
Election Specific Branding	Electronic advertising; media releases; election bulletins; public events; website, newspaper advertising	N/A