



2020 Lyons Ward By-Election Report



**Northern Territory
Electoral Commission**

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TIMETABLE

Friday 7 February		Nominations open
Tuesday 11 February	5:00 pm	Electoral roll closes
Thursday 13 February	12:00 noon	Nominations close
	1:00 pm	Declaration of nominations, draw for position on ballot papers
Friday 14 February		Postal vote mail-out commences
Monday 17 February	8:00 am	Early voting commences
	9:00 am	Mobile voting commences
Tuesday 25 February	6:00 pm	Overseas postal voting despatches cease
Thursday 27 February	6:00 pm	All postal voting despatches cease
Friday 28 February	6:00 pm	Early voting ceases
Saturday 29 February		Election day
	8:00 am	Election day voting commences
	6:00 pm	Election day voting ceases
		Mobile voting ceases
		Primary counts of ordinary, postal and early votes commence
		Primary counts of postal, mobile and early votes commence
Monday 2 March	9:00 am	Declaration vote verification checks, commence recheck of all counts
Thursday 5 March	9:00 am	Primary counts of accepted declaration votes, further postal counts
Friday 6 March	12:00 noon	Deadline for receipt of postal votes
		Final counts of postal votes commence
		Distribution of preferences
Monday 9 March	10:00 am	Declaration of the election result

BACKGROUND

Election

- A by-election in the City of Darwin, Lyons Ward was caused by the resignation of one alderman. The by-election was conducted in accordance with part 8.2 of the *Local Government Act 2008* (the Act).
- In accordance with section 39(4)(d)(i) of the Act, the City of Darwin Chief Executive Officer, Mr Scott Waters, advised the Northern Territory Electoral Commission (NTEC) on 12 November 2019 that the resignation would take effect as at 15 November 2019.
- The NTEC Electoral Commissioner is the returning officer for local government elections, including by-elections.
- Susan Whyte was appointed as the deputy returning officer for the by-election.
- An electronic mark-off system (eLAPPS) was used at all voting centres.
- A service level agreement (SLA) between the City of Darwin and the NTEC was entered into on 19 December 2019. This outlined both organisations' roles, responsibilities, election services and estimated costs.

Council

The City of Darwin consists of four wards: Chan, Lyons, Richardson and Waters. The council comprises one elected Lord Mayor and 12 elected aldermen; three aldermen per ward.

As per the SLA, City of Darwin provided/undertook the following for the 2020 by-election.

- A candidate information session
- Council office space in Darwin for the provision of early voting
- Promoting the election via its social media outlets and front counter rolling message service
- Identify and sign-post a disabled parking spot at the Parap Primary School and the Darwin Entertainment Centre voting centres
- Provide car parking at the Civic Centre for the early voting centre staff

Boundary changes

There were no *Gazetted* changes to the boundaries or the council ward structure from the 2015 review of electoral representation.

Enrolment

At the close of the electoral roll at 5:00 pm on Tuesday, 11 February there was a total of 14,147 electors enrolled in the City of Darwin, Lyons Ward. This was a decrease of 1.7 per cent from the 2017 NT Council elections where enrolment was at 14,404.

PUBLIC AWARENESS

Campaign

The public awareness campaign for the Lyons by-election was rolled out primarily across social media channels and print media. Sponsored social media posts on Facebook, Instagram and Twitter focused on enrolment and voting information (early, postal and Election Day). The social media campaign included five location targeted posts across Facebook and Instagram which achieved an audience reach of more than 60,000 and post engagement level of almost 9,000. These posts were supported by further organic posts focusing on areas such as election result updates.

Advertising – newspaper

Statutory print advertising providing specific voting information was published in the NT News. Advertisements placed included, a call for nominations from potential candidates; a list of candidates nominated; early and Election Day voting centre information and the election result.

The statutory advertisements were also augmented through the placement of two front-page pointer advertisements in the NT News.

Website

The 2020 City of Darwin, Lyons Ward by-election website was launched on Monday, 3 February 2020. The dedicated election site provided comprehensive information for candidates and voters including information on nominating, voting centre locations and how to complete a ballot paper. The site also hosted an election results page that was updated accordingly throughout the count/s.

Newsletter

An election newsletter was emailed to stakeholders, including City of Darwin, candidates and the media. Newsletters were published on 6, 20 and 27 February. The newsletters were available on the NTEC website with links shared on Facebook.

Candidate information session

A candidate information session was conducted on Thursday, 30 January 2020 at City of Darwin chambers. The session provided relevant information to potential candidates with representatives from the NTEC, City of Darwin, and the Local Government Association of the Northern Territory (LGANT) speaking.

Email and SMS

Email and SMS was used to contact City of Darwin, Lyons ward electors, whom had provided these details on their enrolment form. Three emails were sent at different stages of the campaign with adjustments in the totals sent based on replies and whether or not electors had already voted. A total of 6,916 were sent to electors informing them when the electoral roll would close; 6,297 were sent providing early voting centre information and 4,950 were sent providing information on Election Day voting centres.

The SMS campaign comprised three messages sent to voters who had supplied their mobile phone numbers. A total of 7,980 texts were sent to electors informing them when the electoral roll would close; 7,534 messages providing early voting information and at 10:00 am on Election Day a voting reminder SMS was sent to 5,368 electors who had not yet voted.

Voters that received election information via SMS/email compared with voters who did not

All Lyons Ward electors	%	Lyons Ward electors aged 18-34	%
Total number of voters	53.4	Total number of voters	41.0
Voters who received SMS/email and voted	60.0	Voters who received SMS/email and voted	50.8
Voters who did not receive SMS/email and voted	45.1	Voters who did not receive SMS/email and voted	25.0

NOTE: Postal votes not included

Letter box drop

Residents in the suburb of Lyons and residents of the Darwin Waterfront were contacted directly via a flyer informing them that they were not required to vote.

The suburbs of Stuart Park, Woolner and Bayview were also 'flyer' dropped prior to Election Day, providing information on the location of their nearest voting centres. This measure was undertaken due to the fact that Stuart Park Primary School was not an Election Day voting centre for the by-election as it has been historically for elections involving the area.

VOTING SERVICES

Nominations

Nominations opened on Friday, 7 February 2020 and closed at 12:00 noon on Thursday, 13 February 2020. There were a total of 12 received and accepted nominations for the position of alderman.

The declaration of nominations took place at the NTEC office in Darwin on Thursday, 13 February 2020. The event was attended by the general public, nominees, council representatives and the media. A random number generator selected the ballot paper position for each candidate.

Summary of nominations in ballot paper order

Vacancy	Candidate
Alderman One position	Eric WITHNALL
	Amye UN
	Sara ALEXOPOULOS
	Trevor JENKINS
	Jack C HENDERSON
	Paul ARNOLD
	Cheryl WATSON
	David MAGEEAN
	Carolyn Jane REYNOLDS
	Pete HAYES
	Carol PHAYER
	Robin LAWRENCE

Electronic voter mark-off

An electronic voter mark-off system, that records when someone has voted, was used for the by-election.

The system alleviates the necessity to use paper certified lists and in turn improves the time taken to find a voter on the electoral roll.

Early voting centres (EVCs)

Legislative changes made in 2015 allows all electors the option to vote before Election Day without the need to meet any eligibility criteria. Overall there is a trend towards voting early across the Northern Territory and Australia. Early voting services were provided at the NTEC office from Monday, 17 February and at the City of Darwin council office from Monday, 24 February 2020.

A by-election, which was called for the Legislative Assembly division of Johnston, was conducted simultaneously to the Lyons by-election with both elections called for Saturday, 29 February 2020. Therefore early voting centres located at Casuarina Square and Rapid Creek shopping centres, which were established for the Johnston by-election, were also used for the Lyons by-election.

Votes issued at early voting centres: 2020, 2017 and 2015 elections

Ward	2020 by-election	2017 NT Council elections	2015 by-election
Lyons	2,177	3,439	1,496

Postal voting

Legislative changes made in 2015 allows all electors the option to apply for a postal vote without the need to meet any eligibility criteria.

Although there was a decrease in postal votes for this election compared to the 2017 NT Council elections, it is becoming a preferred voting option for electors.

Postal votes issued / admitted to the count: 2020 and 2017 elections

2020 by-election		2017 NT Council elections	
Votes issued	Votes admitted to count	Vote issued	Votes admitted to count
554	349	719	465

Urban institution voting (Hospitals and prisons)

A mobile voting team visited the Darwin Private and Royal Darwin Hospitals. Electors in Darwin prison voted by post.

Votes issued: urban institutions

Ward	Votes issued
Lyons	8

Declaration voting

Declaration votes are issued to electors who claim to be enrolled in the electorate but cannot be located on the electoral roll or have already been marked-off as having voted. Declaration vote scrutinies are undertaken following the election to determine if these votes are admitted to the count or rejected. A total of eleven declaration votes were issued during the by-election with three admitted to the count.

Election Day voting centres

Election Day was Saturday, 29 February 2020 with voting centres open from 8:00 am to 6:00 pm.

Locations

Darwin Entertainment Centre: Mitchell St, Darwin City

Parap Primary School: Urquhart St

The number of Election Day voting centres decreased by one compared to the 2017 NT Council elections. The reduction is due to the growing trend of electors choosing to vote early. The decrease in Election Day voting centres was requested by the City of Darwin with details outlined in the SLA.

Votes issued at Election Day voting centres

Location	2020 by-election	2017 NT Council elections
Darwin City	2,175	1,873
Parap Primary School	2,483	1,772
Stuart Park Primary School	N/A	1,172
Larrakeyah Primary School	N/A	385
TOTALS	4,658	5,202

ELECTION

Voting

The voting system used is full preferential voting where the voter must mark a number '1' on the ballot paper next to their most preferred candidate, and the numbers '2', '3' and so on against all the other candidates on the ballot paper until all the squares have been numbered in order of the voter's choice.

Counting

- First preference votes for each candidate on formal ballot papers are counted, then a quota is calculated.
- The quota is calculated using the following formula:
(total number of formal ballot papers divided by the number of vacancies) + 1.
- The candidates with votes equal to or greater than the quota are elected. If all vacancies are filled, the election is complete.
- If not, preferences are distributed to the other candidates until all vacancies have been filled.

Counting votes on election night

A count of first preference votes was undertaken immediately after the close of voting at 6:00 pm on Election Day. The count of first preference votes was conducted in each of the two Election Day voting centres and the count of first preference votes for early and postal votes was conducted at the scrutiny centre in Darwin.

Post-election night scrutinies

A fresh scrutiny (recheck) of all votes counted on Election Day commenced from Monday, 2 March 2020.

The fresh scrutiny of postal votes including urban and admitted declaration votes was conducted on Wednesday 4 March 2020.

Voters that applied for a postal vote were to complete their ballot papers by 6:00 pm on Election Day and return their ballot papers to the NTEC by 12:00 noon on Friday, 6 March 2020. A final count of all postal votes was conducted after 12:00 noon.

The determination of the quota and distribution of preferences took place after all votes had been counted. Election results were made available as soon as possible on the results page of the website.

Election outcomes

At the close of nominations there were 12 candidates. An election was duly held and the first preference votes are recorded in the adjacent table.

As a consequence, under the proportional representation voting system, the quota of votes required for election was 3,682.

Following the distribution of preferences and in accordance with Schedule 1 of the Local Government (Electoral) Regulations the result is as follows:

Candidate	First preferences
Eric WITHNALL	1,330
Amye UN	796
Sara ALEXOPOULOS	1,382
Trevor JENKINS	269
Jack C HENDERSON	58
Paul ARNOLD	1,854
Cheryl WATSON	501
David MAGEEAN	82
Carolyn Jane REYNOLDS	110
Pete HAYES	97
Carol PHAYER	752
Robin LAWRENCE	131
Total	7,362

Paul Arnold received quota at count number ten and was duly elected.

Declaration of the election result

Declaration of the election result took place at the City of Darwin, Council Chambers at 2:00pm on Monday, 9 March 2020.

Election costs

The SLA estimated the cost for the City of Darwin by-election as \$80,551.85 (GST inclusive). Due to running the by-election in conjunction with the Legislative Assembly division of Johnston by-election, costs savings were identified and put in place.

Summary of election costs

Election area	Costs
Public awareness	\$8,610.75
Staffing wages	\$32,964.69
Premises	\$3,845.45
Information technology	\$1,818.18
Vehicle hire	\$340.91
Operational/material/postage costs	\$7,652.23
Corporate overhead	\$8,284.83
<i>GST</i>	<i>\$6,351.70</i>
TOTAL	\$69,868.74

ISSUES OF NOTE

Informality

- The NT Electoral Commission conducted a survey of informal ballot papers and a total of 562 informal votes were received. During the informality survey it was identified that 53 per cent of the informal votes (300) were considered intentionally informal. The remaining 47 per cent (262) were considered unintentionally informal. Of the informal ballot papers 59 contained duplicate numbers and 126 were incomplete.

Election Day voting centres

- This election saw a reduction in the number of Election Day voting centres with only two in operation.
- In the 2017 NT Council elections it was observed that voters were taking longer than average to complete their ballot paper due to the large number of candidates. As this by-election had 12 candidates, the NTEC ensured that each voting centre had a sufficient number of voting screens to improve voter flow.

Early voting centres

- Campaigning at early voting centres was permitted in two forms depending on what property owners allowed at each location. Some locations allowed campaigning in person whilst other locations only allowed campaign material to be displayed (i.e. no campaign workers present).
- It became evident during the early voting period that some campaign workers and candidates were not taking the premises owners' requests seriously when instructed not to campaign in person.

Where a table was provided for material, some candidates/campaign workers took it upon themselves to visit the voting centre on numerous occasions to check the voting material stocks even though they had been instructed to hand their how-to-vote material to the officer in charge of the voting centre before voting began. Some campaign workers even wore campaign matter as they restocked their materials (i.e. shirts, caps etc.).

- NTEC will consider producing a document in which a candidate must declare that they (and their workers) will adhere to the rules stipulated around campaigning at early voting centres.

Complaints

- No formal complaints were received for this by-election.
- Informally, the NTEC received several calls about incorrect authorisation or complaints about the removal of some candidate's campaign materials.

The Commission would like to extend our thanks for the support received from the City of Darwin CEO and his staff for their assistance during the conduct and delivery of this event.