

Report on the conduct of the Upper Hunter State by-election

22 May 2021



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Foreword from the Electoral Commissioner

The by-election held on Saturday, 22 May 2021 elected the sitting member for the New South Wales Legislative Assembly electoral district of Upper Hunter following the resignation of Mr Michael Johnsen MP on 31 March 2021.

The Upper Hunter by-election was the first state by-election in New South Wales to be conducted under the *Electoral Act 2017*, which replaced the *Parliamentary Electorates and Elections Act 1912*.

The Writ for the Upper Hunter by-election was issued on Friday, 30 April 2021 by the Speaker of the New South Wales Legislative Assembly, the Hon. Jonathan O'Dea MP.

The result was declared on Saturday, 29 May 2021, seven days after the election. This was within the range for declaration of the poll for previous state by-elections.

The Writ was returned to the Speaker of the Legislative Assembly on Monday, 31 May 2021.

The conduct of the Upper Hunter by-election proceeded smoothly, with turnout and formality rates of 86.74 per cent and 97.47 per cent, respectively.

Pursuant to section 271 of the Electoral Act, as Electoral Commissioner for New South Wales I have conducted a review of the administration of the Upper Hunter by-election. This report reflects the outcomes of that review.

The delivery of efficient, accurate and trusted elections, in accordance with New South Wales electoral legislation, relies heavily upon the capability of NSW Electoral Commission staff. I would like to pass on my appreciation to everyone within the Electoral Commission, and the temporary election workforce, suppliers and contractors for the successful running of this election event.



John Schmidt

Electoral Commissioner for New South Wales

A new legislative framework

The New South Wales state general election in March 2019 was the first election conducted under the *Electoral Act 2017*. When the Electoral Act commenced on 1 July 2018, it replaced the former *Parliamentary Electorates and Elections Act 1912*.

The Electoral Act better reflects contemporary electoral practices and the greater reliance on technology to deliver elections. New legislated practices that applied to the conduct of the Upper Hunter by-election included:

- The Electoral Commissioner was the returning officer responsible for the conduct and administration of the by-election. The Electoral Commissioner appointed an election official as the election manager, responsible for the front-line engagement in the district with the Electoral Commission's diverse range of stakeholders, including election staff, candidates, political parties, media and electors.
- The number of nominators required for an independent candidate increased from 15 to 25.
- The eligibility criteria to use technology-assisted voting (iVote) included silent electors.
- Silent electors could cast an ordinary vote at a voting centre, rather than a declaration vote as was previously required.
- Preliminary scrutiny of postal vote certificate envelopes commenced five days before election day.

The Upper Hunter by-election was the first election conducted following amendments to the *Electoral Funding Act 2018* in January 2020 imposing restrictions on cash donations. The amendments made it unlawful for a person to make or accept a political donation in cash that exceeds \$100.

Election overview

Upper Hunter by-election results

Dave LAYZELL (National Party of Australia – NSW) was elected at the Upper Hunter by-election held on 22 May 2021.

Table 1: Upper Hunter state by-election 22 May 2021 – first preference votes

Candidate	Party affiliation	Votes
Kirsty O'CONNELL	Independent	4,176
Archie LEA	Independent	156
Eva PEARS	Liberal Democratic Party	698
Dale McNAMARA	Pauline Hanson's One Nation	5,845
Dave LAYZELL (elected)	National Party of Australia – NSW	14,805
Tracy NORMAN	Independent	1,951
Steven REYNOLDS	Independent	1,027
Sue ABBOTT	The Greens NSW	1,648
Jeff DRAYTON	Australian Labor Party (NSW Branch)	10,055
Calum BLAIR	Sustainable Australia (NSW)	375
Michael DELLO-IACOVO	Animal Justice Party	397
Sue GILROY	Shooters, Fishers and Farmers Party (NSW) Incorporated	5,676
Kate FRASER	Independent	644
Total formal votes		47,453
Total informal votes		1,234
Total votes		48,687

Note: The order of candidates in the above table is the order in which candidates' names appeared on the ballot paper (see [Appendix C](#)) as per the ballot paper draw. Detailed information on the result counts is available at elections.nsw.gov.au

Distribution of preferences

Following the distribution of preferences on Friday, 28 May 2021 using the NSW Electoral Commission's data entry system, Dave Layzell was elected with 18,484 votes (55.82%) of the total votes. The full distribution of preferences is available on the NSW Electoral Commission's [website](#).

By-election summary

Table 2: Upper Hunter state by-election 22 May 2021 – election summary

Enrolment	
Total electors (as at 30 April 2021)	56,127
Venues and staff	
Early voting centres	7
Voting centres (election day)	38
Staff employed	395
Voter turnout	
Formal votes	47,453
Informal votes	1,234
Total votes	48,687
Voter turnout rate	86.74%
Formality rate	97.47%
Non-voting penalty notices issued	6,449 ¹
Penalty notices issued as a percentage of the district electoral roll	11.49%
Voting options used (includes informal votes)	
Ordinary	23,671
Pre-poll (in-person)	19,320
iVote	2,628
Postal	2,115
Enrolment/provisional	953
Candidates	
Candidates contesting the election	13
Candidates registered for electoral funding purposes	15

The Electoral Act 2017 introduced a change to vote categories: provisional/silent is no longer used and enrolment is now categorised as enrolment/provisional; silent electors now cast an ordinary vote.

¹ A penalty notice is withdrawn if an elector provides a valid reason for not voting. At the date of this report the enforcement process for failure-to-vote penalty notices for this by-election had not yet been completed.

By-election key dates

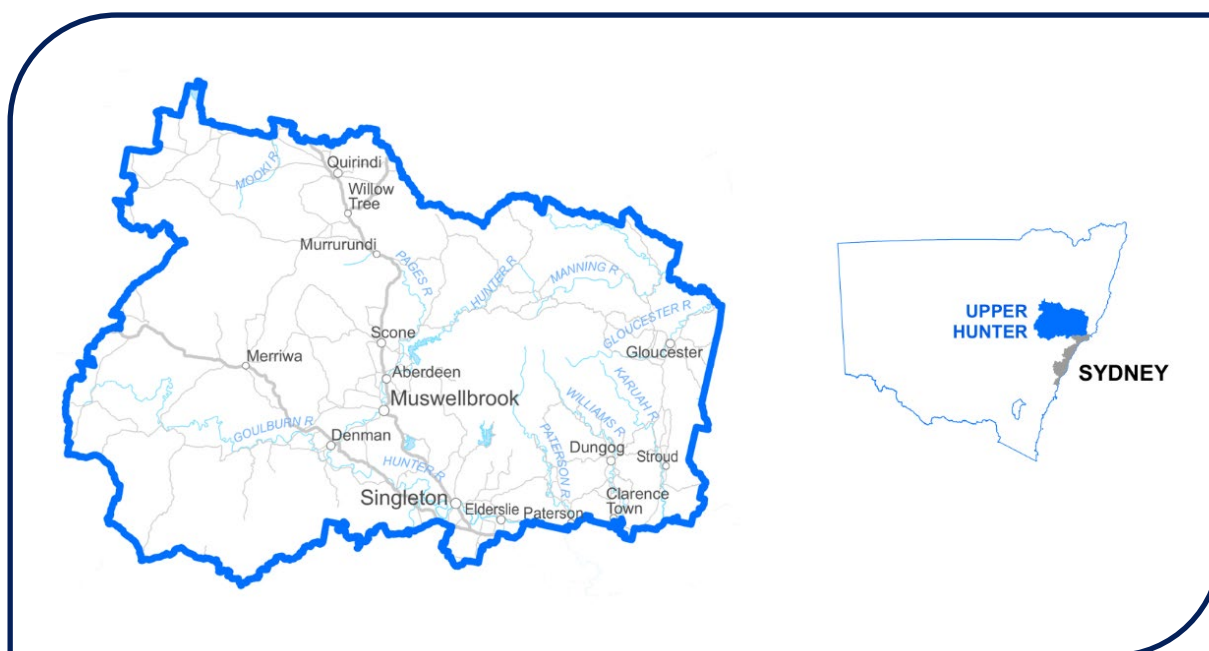
Table 3: Upper Hunter state by-election 22 May 2021 – timeline

Date	Matter
Thursday, 1 April 2021	Start of electoral funding registration period for candidates and third-party campaigners
Friday, 30 April 2021	Issue of Writ
	Nominations open
	Start of capped expenditure period
	Start of regulated period for electoral material
	Close of roll for being a candidate (6pm)
Monday, 3 May 2021	Postal vote applications open
Thursday, 6 May 2021	Close of nominations (12 noon)
	Close of electoral funding registrations for candidates
	Start of registration of electoral material for distribution on election day
Friday, 7 May 2021	Ballot paper draw (9am)
Monday, 10 May 2021	Early voting commences
Friday, 14 May 2021	Close of electoral funding registrations for third-party campaigners
	Close of registration of electoral material for distribution on election day
Monday, 17 May 2021	iVote registration open (9am)
	iVote voting open
	Postal vote applications close (6pm)
Friday, 21 May 2021	Early voting ends
Saturday, 22 May 2021	ELECTION DAY
	End of capped expenditure period
	iVote registration close (1pm)
	Close of in-person voting, iVote voting close (6pm)
	End of regulated period for electoral material (6pm)

Date	Matter
Wednesday, 26 May 2021	Return of postal votes deadline (6pm)
Saturday, 29 May 2021	Results declared
Monday, 31 May 2021	Writ returned
Friday, 18 June 2021	'Failure to vote' notices issued
Wednesday, 28 July 2021	Disclosures of political donations due
Wednesday, 22 September 2021	Disclosures of electoral expenditure due
Tuesday, 28 September 2021	Due date for eligible candidates to make a claim for payment from the Election Campaigns Fund

The election in detail

Upper Hunter electoral district map



Measures introduced due to COVID-19

The NSW Electoral Commission implemented COVID-19 measures to safeguard the health, safety and wellbeing of voters, election staff, political participants and the general public. A *COVID-19 Action Plan* for the Upper Hunter by-election was developed by the Electoral Commission and reviewed by the NSW Department of Health. This plan contains high-level principles supported by specific actions to be implemented in response to the changing COVID-19 environment. Key measures include:

- encouraging electors, election staff and political participants to check-in at voting and count centres using the Service NSW QR code

- encouraging electors to bring their own pens, or use the single-use pens provided at voting centres, to mark their ballot papers
- maintaining physical distancing at voting centres by managing elector numbers at these venues and ensuring there was sufficient space between voting screens and issuing tables
- employing additional election staff to assist in managing physical distancing and implement hygiene measures
- using voting screen inserts to allow for regular cleaning
- regularly cleaning surfaces, including voting screens and ballot paper issuing tables
- ensuring hand soap and/or hand sanitiser and paper towels were available in bathrooms
- providing hand sanitiser and other personal protection equipment for use by election staff, electors and political participants
- displaying public health messaging at voting centres
- implementing reporting procedures for suspected or confirmed cases of COVID-19.

Election staff were provided with training modules covering COVID-19 infection control practices. The NSW Electoral Commission also produced a series of videos explaining the key health protection measures and displayed posters in voting and count centres as a safety reminder at election venues. The *Upper Hunter state by-election COVID-19 Action Plan* was published on the NSW Electoral Commission's [website](#).

Advertising and communications campaign

The NSW Electoral Commission conducted an advertising and communications campaign to raise awareness of the Upper Hunter by-election and provide information to electors and political participants. All communications and advertising activities directed people to the Electoral Commission's [website](#). Examples of advertisements and social media posts are reproduced at [Appendix F](#).

Print and digital advertising

Our print campaign included advertisements published in high-circulation state-wide and regional news publications, including the Sydney Morning Herald and the Daily Telegraph. For our digital campaign:

- 831,600 people were reached via targeted digital advertising
- 361,000 people were reached via targeted social media advertising.

We also conducted a digital campaign across our own social media channels:

- Facebook: 17 posts and 704 page engagements
- Twitter: 62 tweets and 403 profile engagements
- LinkedIn: 13 posts and 27 page engagements.

Media liaison

Targeted media releases supported the various phases of the election from the open of nominations through to the distribution of preference votes (see [Appendix F](#)). The Electoral Commission provided live and pre-recorded radio interviews and responded to media enquiries to assist with news coverage of the election.

Website information and updates

The NSW Electoral Commission's website provided a range of information concerning participation in the by-election, including the election timetable, candidate requirements, employment opportunities, enrolment, early voting locations, names of candidates, voting options, voting centres for election day, information on COVID-19 safety measures at venues, and election results.

The website received over 38,000 unique views on election day. On election night, the Upper Hunter by-election results page accounted for 37 per cent of the total unique views for the day.

The Electoral Commission trialled an initiative to report pre-election metrics for this by-election. These metrics included the number of postal vote applications received, postal votes returned, early voting totals and the number of online votes received using iVote. The figures were updated daily from 10 May 2021.

Assistance for voters

Elector brochure

All enrolled electors were sent a personalised elector brochure. The brochure contained information about the by-election including early voting options, a list of voting centres and an example of the ballot paper.

A total of 55,935 brochures were printed and distributed by mail. See [Appendix A](#) for a copy of the brochure.

Election reminder service

The election reminder service enables voters to subscribe to receive free SMS and/or email reminders about New South Wales state and local government elections relevant to their enrolled address.

For the Upper Hunter by-election, 2,024 email reminders and 1,835 SMS reminders were issued. Reminders for early voting were sent on 11 May, with final reminders sent 20-22 May 2021.

Supporting voters with additional needs

Securing appropriate premises for voting centres can be difficult. The NSW Electoral Commission does not own facilities within electoral districts. The availability of premises to rent is limited by the short-term nature of the lease and the Electoral Commission's space, accessibility, location and workplace health and safety requirements.

The Electoral Commission aimed to provide accessible and appropriately sited voting centres for the Upper Hunter by-election. Voting centre locations, including information about venue accessibility, were published on the Electoral Commission's website. Voting centres were equipped with wheelchair accessible voting screens, maxi pens and magnifying sheets.

Seven staff working at the Upper Hunter by-election were fluent in a language other than English, and all electors had access to interpreters via the Translating and Interpreting Service. Auslan interpreters were available on election day to connect with electors remotely. These services were promoted prior to the election and displayed on posters at all voting centres.

Voting services

Early voting

Electors had the opportunity to vote before election day using iVote or postal vote subject to eligibility, or to vote in-person at an early voting centre. Voting was provided via postal voting and iVote for electors who were overseas, interstate or outside of the electoral district at the time of the election.

Based on public health guidelines in place at the time of the election, onsite voting in declared facilities² was not offered at the Upper Hunter by-election due to public health and safety concerns relating to the COVID-19 pandemic. Declared facilities were offered postal vote applications.

Postal voting

Electors who could not attend a voting centre on election day were able to apply for a postal vote. Postal vote application forms were available from the Upper Hunter by-election election manager and the NSW Electoral Commission's website.

Of 3,076 postal votes issued, 2,115 were accepted, 392 were rejected and 569 were not scrutinised because they were either returned late or not returned at all.

Table 4: Upper Hunter state by-election 22 May 2021 – postal vote key dates

Date	Process
Monday, 3 May 2021	Application for postal vote packs open
Monday, 10 May 2021	Commence distribution of postal vote packs
Monday, 17 May 2021	Receipt of postal vote applications close 6pm. Applications received after this time will not receive a postal vote pack.
Wednesday, 26 May 2021	Completed postal votes must be returned by 6pm

Technology assisted voting (iVote)

The *Electoral Act 2017* provides for technology-assisted voting to be used in Parliamentary general elections and by-elections subject to voter eligibility. Online and telephone (operator assisted) voting options were provided for the Upper Hunter by-election by the NSW Electoral Commission's iVote voting platform. iVote was available at the Upper Hunter by-election for voters who:

- are blind or have low vision
- are unable to vote without assistance or have difficulty voting at a polling place because of a disability or have difficulties reading
- are silent electors
- live more than 20km from a voting centre
- were outside of their enrolled district on election day.

For the Upper Hunter by-election, 2,628 iVotes were cast, representing 5.4 per cent of total votes; of which 2,619 were formal votes and 9 were informal.

² Declared facilities (formerly known as declared institutions) include hospitals, nursing homes, retirement villages or similar facilities that are appointed by the Electoral Commissioner to receive mobile voting services to enable onsite in-person voting.

Table 5: Upper Hunter state by-election 22 May 2021 – iVote key dates

Date	Process
Monday, 17 May 2021	iVote voting open 9am
Saturday, 22 May 2021	iVote applications close 1pm iVote voting close 6pm
Monday, 24 May 2021	iVote receipt portal close 5pm

Early voting (in person)

Voting in person before election day was available at seven locations ([Appendix B](#)) for the Upper Hunter by-election, including the election manager's office and the NSW Electoral Commission's head office.

The early voting locations were listed on the elector brochure and the NSW Electoral Commission's website, including information about accessibility, opening hours, and the COVID-19 safety measures in place.

Of the 19,320 in-person votes cast during the early voting period, 18,917 were formal and 403 informal.

Voting in-person on election day

Voting centres were open on election day from 8am to 6pm. See [Appendix B](#) for a list of election-day voting centres. As with the early voting centres, the locations were listed on the elector brochure and the NSW Electoral Commission's website.

Assistance for candidates, political parties and other political participants

Electoral funding registration

Candidates must be registered for a by-election before accepting a political donation or making a payment for electoral expenditure for the by-election. It is an offence for a candidate to accept a political donation or make a payment for electoral expenditure without being registered.

A candidate who is not registered but who is nominated for the by-election is deemed to be registered for electoral funding purposes and can lawfully accept political donations and make payments for electoral expenditure from the time of nomination.

A person or entity (not being a party, associated entity, elected member or candidate) who incurs electoral expenditure of more than \$2,000 during the capped state expenditure period is a third-party campaigner. The third-party campaigner must be registered before making payments for that expenditure. It is an offence for a person or entity to make such payments or accept political donations for that purpose without being registered.

Registration for the election is a separate process to being nominated as a candidate. All candidates who do not accept political donations or make payments for electoral expenditure before being nominated are taken to be registered on the day their nomination form is lodged.

For the Upper Hunter by-election, electoral funding registration forms were available on the NSW Electoral Commission's website and could be lodged with the Electoral Commission from 1 April 2021. The registration period for candidates closed on Thursday, 6 May 2021 and Friday, 14 May 2021 for third-party campaigners.

Fifteen candidates were registered for the by-election, six of whom were deemed to be registered upon nomination. Twelve third-party campaigners were registered for the by-election. Registers are published on the NSW Electoral Commission's [website](#).

Nominations

Nomination forms were available from the NSW Electoral Commission's website and could be lodged after the issue of the Writ on Friday, 30 April 2021.

Of the nine candidates registered before nomination for electoral funding purposes, two were not ultimately nominated to run in the Upper Hunter by-election. This is because they were either not successfully nominated for the election or decided not to contest the election. Even though these two candidates were not nominated, they are still required to manage and disclose political donations and electoral expenditure in accordance with the requirements of the *Electoral Funding Act 2018*.

Following the close of nominations, the ballot paper drawer was conducted on Friday, 7 May 2021 to determine the order that the 13 candidates would appear on the ballot paper.

Electoral material

The regulated period for electoral material (including how-to-vote material) commenced Friday, 30 April and closed at 6pm on election day, Saturday, 22 May. Electoral material produced, published, distributed or displayed during the regulated period for the by-election had to comply with the requirements of the *Electoral Act 2017*.

Electoral material distributed on election day had to be registered with, and approved by, the Electoral Commissioner. It is an offence to distribute unregistered electoral material on election day.

Registration of electoral material opened on Thursday, 6 May 2021 and closed at 5pm on Friday, 14 May 2021.

Information bulletins

The NSW Electoral Commission distributed five information bulletins throughout the election period to provide political participants with key information about the election and their obligations and entitlements.

Election costs

Key cost drivers for the election included:

- election staff wages
- office accommodation for the election manager
- information and technology support
- number of voting centres
- number of electors in the electorate
- printing/materials for voting centres.

The final cost of conducting the election was \$1,274,954 (GST exclusive), which equates to \$22.72 per elector.

Table 6: Upper Hunter by-election cost breakdown

Expense item	Amount (\$)
Staffing	478,904
Venue rent (early voting centres, election-day voting centres, election manager's office)	115,967
Logistics	43,537
Ballot papers and electoral rolls	12,247
Electronic voting (iVote)	313,492
Miscellaneous items	310,806
Total election cost	\$1,274,954
Number of electors	56,127
Total cost per elector	\$22.72

Election staff

The NSW Electoral Commission employed 395 people to work at the Upper Hunter by-election. Recruitment of election staff took place via the Electoral Commission's online registration system.

The majority of casual staff were employed to work on election day in voting centres, or in the two weeks prior to election day in early voting centres. Some roles were based in the election manager's office to help recruit staff, pack and prepare materials for each voting centre and early voting centre, count votes and pack materials after the election.

Table 7: Number of employees for each role for the Upper Hunter by-election

Role	Number employed	Tasks
Voting centre managers	38	The election official responsible for managing an early voting centre, or a voting centre on election day.
Deputy voting centre managers	38	Supports the voting centre manager on election day. Undertakes key election operational activities under the guidance of the voting centre manager.
Declaration vote issuing officers	13	The role responds to elector enquiries, determines the type of declaration vote issued to the elector.
Election officials	220	The task of election officials is to issue ordinary votes, respond to elector enquires and manage queues (internal and external to voting centre). In response to COVID-19 we employed additional election officials to manage physical distancing requirements and conduct safe hygiene practices.
Office assistants	74	Reports to senior office assistant. Performs general office administration, packing and checking of election materials, issuing ballot papers during early voting, and counting ballot papers.
Senior office assistants	11	Senior office assistants manage key tasks during the election period including staffing and venue management, the secure receipt and return of election material, and managing counting and results.
Election manager	1	Appointed as an election manager under section 81(3) of the <i>Electoral Act 2017</i> to conduct an election for one or more Legislative Assembly districts. Duties include staffing the election manager's office, conducting the ballot paper draw and liaising with political parties, candidates and the public.
Total	395	

Of the staff employed throughout the election period, 20 staff members identified as being Aboriginal, 12 election staff members had a disability, seven staff members spoke a language other than English, and 77 staff had not previously worked at an election.

All staff were required to complete online training, mapped to their job role. An additional online module was developed to provide staff with safe work practice guidelines relating to COVID-19.

Election manager

The election manager's office was located at 31 John Street, Singleton. The duties of the election manager include:

- set up and decommissioning of the temporary office;
- training of office staff, voting centre managers and deputy voting centre managers;
- arranging voting at voting centres
- issuing and processing postal and early votes

- dealing with enquiries from candidates and electors;
- processing candidate nominations and electoral material; and
- counting votes.

An election manager support officer was appointed in the NSW Electoral Commission's head office to monitor, guide and support the election manager on electoral matters and procedures in the preparation and conduct of the by-election.

Work health and safety principles

Work health and safety principles focussing on fatigue management were introduced for the Upper Hunter by-election in the interests of staff safety and wellbeing. The principles included cut-off times for counting on election night and closing times for voting centres.

General principles

- staff will not work in isolation
- one 30-minute break to be taken every five hours
- a minimum break of eight consecutive hours between rostered shifts
- staff should not work more than six consecutive days
- maximum 10-hour shifts, with the exception of election day

Election day operations

- all counting to cease at 10:30pm on election night
- staff working in the election manager's office will not work past 11:00pm on election night
- voting centre staff to cease work no later than 11:00pm on election night
- on election night, staff should not be expected to drive more than one hour from their voting/count venue to a nominated material drop-off point
- staff responsible for returning materials on election night will finish no later than 12.30am.

Election staff survey

Upper Hunter by-election staff were surveyed on a range of topics including recruitment, training, facilities, work practices, COVID-safe measures, and work health and safety. Some questions were role-specific while others were common to all election roles. The survey was sent to 300 staff, of whom 168 responded, giving a response rate of 56 per cent. The results will support the continuous improvement of Electoral Commission election processes.

Election staff were generally satisfied with how the election was run, and overall the work health and safety and COVID-safe measures were well received:

- 84 per cent of respondents did not have any work health and safety concerns
- 97 per cent of respondents were satisfied with the COVID-safe measures implemented.

Logistics and venues

Voting centres and office premises

The Electoral Commission selected the most suitable premises from those available. Venue considerations were extensive and included size, location, accessibility, amenities, street frontage, access for deliveries, internet connectivity and workplace health and safety. The ability to secure premises that met functional requirements presented challenges, particularly in negotiating agreements to enter short-term leases when the supply of premises is limited.

Table 8: Upper Hunter venue accessibility

Venue type	Fully accessible (percentage of total)	Assisted access (percentage of total)	No wheelchair access (percentage of total)	Total
Voting centre	3 (8%)	28 (74%)	7 (18%)	38
Early voting centre	1 (17%)	5 (83%)		6
Election manager's office	1 (100%)			1

Supplies

A total of 76,300 ballot papers were printed. A sample of the ballot paper is reproduced at [Appendix C](#).

Waste management

The NSW Electoral Commission operates within the NSW Government's waste management policy framework. In providing electoral services, the Electoral Commission seeks to use, wherever possible, paper and cardboard comprising recycled content and to ensure that the paper and cardboard materials are themselves recycled. At the Upper Hunter by-election, standard cardboard materials were used in voting centres. These included voting screens, accessible voting screens, ballot boxes, caution signs and recycle bins.

As part of the *COVID-19 Action Plan* for the Upper Hunter by-election, voters were encouraged to bring their own pen. Single-use pens were also provided and voters were able to take these with them when leaving the voting centre.

IT support

The Election Management Application was used for the Upper Hunter by-election. This is an internet-based application used by the election manager, office assistants and head office staff. It consists of a suite of software modules to assist with managing election processes such as enquiries, election day staffing, candidate nominations, the distribution and return of declaration votes, and results. In addition, IT equipment was provided to the election manager's office and voting places.

Results

All ballot papers undergo the following counts:

- first preference initial count
- two-candidates preferred count
- check count using the NSW Electoral Commission's Legislative Assembly data entry system.

Counts were conducted for each voting centre and selected early voting centres on election night for the first preference vote for each candidate, and the result of the notional count for the two candidates considered most likely to receive the greatest number of votes (the two-candidates preferred count). The results were updated progressively on the Electoral Commission's website from 6:30pm on election night.

In the week after election day, all ballot papers from every voting centre and early voting centre were recounted to ensure the election night count was accurate (the check count). After close of voting on election day, accepted votes in iVote were decrypted, verified and added to the count. Declaration votes were added progressively with postal votes accepted up to 6pm on the Wednesday after election day. On Friday, 28 May 2021, the distribution of preferences was conducted within the NSW Electoral Commission's Legislative Assembly data entry count system. Candidates' scrutineers were able to attend all counts. Count reports are available on the Electoral Commission's website.

There was no request for a recount. The result of the election was declared on Saturday, 29 May 2021.

Compliance and enforcement

Failure to vote notices

Under electoral legislation, the Electoral Commissioner is required to issue 'Apparent Failure to Vote' notices to those electors whose names were not marked off the electoral roll as having voted or recorded as providing a valid reason for not voting. The penalty for not voting in a state by-election is \$55.00. The funds generated from penalty notices are not retained by the NSW Electoral Commission but are paid into NSW Government consolidated revenue.

All electoral rolls used for voter name mark-off at voting centres or in the election manager's office were scanned after election day to create a list of apparent non-voters for the by-election. The Electoral Commission issued 6,449 penalty notices on 19 June 2021. The remainder of electors who did not vote had provided a valid excuse for not voting either prior to or immediately after election day.

Responses to the notices can be submitted either by mail, email, or through the NSW Electoral Commission's online payments system. The notice provides options to satisfy the matter by either:

- paying the penalty of \$55.00
- advising of the voting centre attended
- submitting a reason for failure to vote for review
- electing for the matter to be dealt with by a court.

If the elector's reason for failing to vote is not accepted, a final notice will be issued giving two options:

- paying the penalty of \$55.00
- electing for the matter to be dealt with by a court.

If a person does not respond to the initial notice by the due date (28 days from the issue of the notice), a reminder notice is issued, giving a further 28 days to deal with the matter. If no response to the reminder notice or final notice is received by the due date, the matter is referred to Revenue NSW for enforcement action.

Compliance operation

Overview and objectives

The NSW Electoral Commission, rather than the Electoral Commissioner, is responsible for ensuring compliance with, and enforcement of, the *Electoral Act 2017*, the *Electoral Funding Act 2018* and various other electoral legislation.

Compliance operations were conducted during the election period to support the fair and transparent conduct of the election.

Table 9: Potential offences under the Electoral Act 2017

Reference	Offence	Maximum penalty
S.121	Conduct of scrutineers	\$5,500 or 6 months imprisonment or both
S.123(2)	Conduct at a voting centre	\$1,100
S.183	Printing, publishing and distributing non-complying electoral material.	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both.
S.184	Display of non-complying posters	Corporation: \$1,375 Other:\$275
S.186	Name and address on electoral material	Corporation: \$11,000 Other: \$2,200 or 6 months imprisonment or both
S.198	Canvassing on election days	\$2,200
S.208	Obstructing access to a voting centre	\$1,100
S.209	Bribery, treating and selling of votes	\$22,000 or 3 years imprisonment or both
S.210	Interference with right to vote	\$22,000 or 3 years imprisonment or both
S.212	Multiple voting	\$22,000 or 3 years imprisonment or both
S.215	Displaying, publishing or distribute material falsely appearing to be made by Electoral Commission	\$22,000 or 2 years imprisonment or both

Table 10: Potential offence under the *Electoral Funding Act 2018*

Reference	Offence	Maximum penalty
s42 s145(1)	Third-party campaigner – failure to register and appoint an agent	\$44,000 or 2 years imprisonment or both

Execution of the compliance operation

The compliance operation commenced from the opening of the early voting period on Monday, 10 May and concluded on election day Saturday, 22 May 2021. Five investigators from the Electoral Commission participated in the operation. In addition to their functions as inspectors under the *Electoral Funding Act 2018*, the investigators were also appointed to the role of election official under the *Electoral Act 2017* so that they could exercise functions under that Act throughout the operation.

Investigators attended early voting centres for the opening and closing of early voting. Each early voting centre in the Upper Hunter district was visited at least once during the early voting period.

On election day, investigators inspected voting centres and engaged with various stakeholders, including the election manager, voting centre manager, candidates, campaigners and volunteers. The presence of the investigators served the dual purpose of educating stakeholders on their obligations under the Electoral Act and the Electoral Funding Act as well as acting as a deterrent for non-compliant behaviour. On election day, 20 voting centres were visited, with priority given to those voting centres with an expected high voter turnout.

There were 15 matters reviewed regarding alleged breaches of legislation. All allegations were reviewed in accordance with the NSW Electoral Commission *Compliance and Enforcement Policy*, with priority given to educating political participants so they could remediate non-compliance where possible. All allegations were acknowledged in writing within 24 hours of receipt of the allegation. Details about the enforcement activities of the Electoral Commission are published in an annual report to the NSW Parliament.

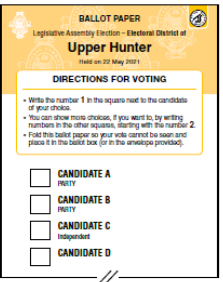
Appendices

Appendix A: Upper Hunter by-election, 22 May 2021 – elector brochure

Upper Hunter State by-election


Saturday, 22 May 2021

How to vote
You must record a vote on the ballot paper by placing the number 1 in the square opposite the name of the candidate you want to give your first preference vote. You can show more choices, if you want to, by writing numbers in the other squares, starting with the number 2. To view the list of candidates please visit elections.nsw.gov.au



Here's where to vote on election day
Election day voting centres 8am-6pm.

Venue	Address	Accessibility
Aberdeen Public School	Segenhoe Street, Aberdeen	♿
Booral Public School	2300 The Bucketts Way, Booral	
Branton Community Hall	Bowen Street, Branton	♿
Caroona Mechanics Institute Hall	Spring Ridge Road, Caroona	♿
Casillis Public School	Coolah Road, Casillis	♿
Clarence Town Public School	Marshall Street, Clarence Town	♿
Denman Memorial Hall	30 Ogilvie Street, Denman	♿



Your guide to voting in the Upper Hunter State by-election

Saturday 22 May 2021

Venue	Address	Accessibility
Dungog Public School	9 Chapman Street, Dungog	♿
Elderslie Community Hall	758 Elderslie Road, Elderslie	♿
Glendon School Of Arts Hall	897 Glendon Lane, Glendon	♿
Gloucester Senior Citizens Centre	30 Hume Street, Gloucester	♿
Gresford School Of Arts	42 Park Street, East Gresford	♿
Jerrys Plains Community Hall	Wambo Street, Jerrys Plains	♿
Kirkton Public School	Standen Drive, Lower Belford	
Merriwa School Of Arts	Bow Street, Merriwa	♿
Moonan Flat Soldiers Memorial Hall	Moonan Street, Moonan Flat	♿
Mount Pleasant Public School	226 Goorangoola Road, Bridgman	♿
Murrumbidgee CWA Rooms	109 Mayne Street, Murrumbidgee	♿
Muswellbrook Indoor Sport Centre	Rutherford Road, Muswellbrook	♿
Paterson Public School	Webbers Creek Road, Paterson	♿
Quirindi High School	Hill Street, Quirindi	
Sandy Hollow Public School	Golden Highway, Sandy Hollow	
Scone High School	Gundy Road, Scone	♿
Scone Public School	Hill Street, Scone	♿
Scone Senior Citizens Centre	Oxford Road, Scone	♿
Singleton Heights Public School	Dorsman Drive, Singleton Heights	♿
Singleton High School	York Street, Singleton	♿
Singleton Public School	Elizabeth Street, Singleton	♿
Spring Ridge Community Hall	82 Darby Road, Spring Ridge	♿
Stan Thies Memorial Centre	Victoria Park, Hill Street	♿
Stratford Public School	Avon Street, Stratford	
Stroud Public School	Erin Street, Stroud	
Stroud Road Public School	Buckets Way, Stroud Road	
Ulan Public School	Main Street, Ulan	♿
Vacy School of Arts Hall	779 Gresford Road, Vacy	♿
Wallabadah Public School	Martyn Street, Wallabadah	♿
Willow Tree Community Hall	New England Highway, Willow Tree	♿
Wingen School Of Arts	14 Madeline Street, Wingen	♿

♿ Partially Accessible ♿ Fully Wheelchair Accessible

Upper Hunter State by-election

Saturday, 22 May 2021

This brochure contains important information about the by-election. It is important to remember:

- Voting centres will be open from 8am to 6pm on Saturday, 22 May 2021
- you must vote in this election
- the penalty for not voting is \$55.

Why is this State by-election being held?
This State by-election is required following the resignation of the sitting member.

Do I need to vote?
You have received this brochure because you are enrolled in the Legislative Assembly district of Upper Hunter. You must vote in this election.

Where can I vote?
On election day, you can vote at the voting centres listed in this brochure. Visit elections.nsw.gov.au for more details.

What if I can't get to a voting centre on election day?
You can vote by post
Postal voting is available for eligible voters. Application forms are available from elections.nsw.gov.au, by calling 1300 135 736 or from the Election Manager.
Applications must be received by the Election Manager by 6pm on Monday, 17 May 2021.
If you are a general postal voter, you will automatically be sent your ballot papers. You do not need to re-apply.
You may vote online using iVote
iVote will be available for those who qualify. For more information, or to access a practice version of iVote online voting, visit elections.nsw.gov.au/ivote or call 1300 24 86 83

Information correct as at 4/5/2021

Early voting is available at the following locations. Visit elections.nsw.gov.au for opening hours and information on our COVID-19 safety measures.

Venue	Address	Accessibility
Dungog Council Chambers	198 Dowling Street, Dungog	♿
Mid Coast Council Gloucester Council Chamber	Railway Street, Gloucester	♿
Brook Street Plaza	30 Brook Street, Muswellbrook	♿
Liverpool Plains Shire Council Office, Quirindi	60 Station Street, Quirindi	♿
Upper Hunter Shire Council Administration Centre, Scone	135 Liverpool St, Scone	
NSW Electoral Commission	231 Elizabeth Street, Sydney	♿
Upper Hunter Election Manager's Office	31 John Street, Singleton	♿

Making political donations to a candidate or political party
If you donate \$1,000 or more to a candidate or political party, you must report it to the NSW Electoral Commission within 4 weeks at the end of the financial year. For more information visit elections.nsw.gov.au/td

Can I get assistance in any other language?
Yes. Please call TIS National on 131 450 and ask them to call the NSW Electoral Commission on 1300 135 736.

How can I help someone who cannot read this brochure?
If you or someone you know requires assistance reading this brochure, please call 1300 135 736.

For more information
Visit elections.nsw.gov.au or call 1300 135 736.
If you are deaf, hard of hearing and/or have a speech impairment, please contact us through the National Relay Service.

Bring this brochure with you when voting. It will make voting easier.

- Bring your own pen.
- Maintain recommended physical distancing.
- Hand sanitiser will be provided.

Appendix B: Upper Hunter by-election, 22 May 2021 – voting locations

Early voting locations

Venue name	Address	Accessibility
Dungog Council Chambers	198 Dowling Street, Dungog	Assisted access
Mid Coast Council Chamber	Railway Street, Gloucester	Assisted access
Brook Street Plaza	30 Brook Street, Muswellbrook	Assisted access
Liverpool Plains Shire Council Office	60 Station Street, Quirindi	Assisted access
Upper Hunter Shire Council Administration Centre, Scone	135 Liverpool St, Scone	Fully accessible
NSW Electoral Commission head office	231 Elizabeth Street, Sydney	Assisted access
Upper Hunter by-election election manager's office	31 John Street, Singleton	Fully accessible

Election day voting centres

Venue name	Address	Accessibility
Aberdeen Public School	Segenhoe Street, Aberdeen 2336	Assisted access
Booral Public School	2300 The Bucketts Way, Booral 2425	No wheelchair access
Branxton Hall	Bowen Street, Branxton 2335	Assisted access
Caroona Hall	Spring Ridge Road, Caroona 2343	Assisted access
Cassilis Public School	Coolah Road, Cassilis 2329	Assisted access
Clarence Town Public School	Marshall Street, Clarence Town 2321	Assisted access
Denman Hall	30 Ogilvie Street, Denman 2328	Fully accessible
Dungog Public School	9 Chapman Street, Dungog 2420	Assisted access
Elderslie Hall	758 Elderslie Road, Elderslie 2335	Assisted access
Glendon Arts Hall	897 Glendon Lane, Glendon 2330	Assisted access
Gloucester Snr Ctzn's Cntr	30 Hume Street, Gloucester 2422	Assisted access
Gresford Arts Hall	42 Park Street, East Gresford 2311	Assisted access
Jerrys Plains Hall	Wambo Street, Jerrys Plains 2330	Assisted access
Kirkton Public School	Standen Drive, Lower Belford 2335	No wheelchair access

Venue name	Address	Accessibility
Merriwa Arts Hall	Bow Street, Merriwa 2329	Assisted access
Moonan Flat Hall	Moonan Street, Moonan Flat 2337	Assisted access
Mt Pleasant Public School	226 Goorangoola Road, Bridgman 2330	Assisted access
Murrurundi CWA	109 Mayne Street, Murrurundi 2338	Assisted access
Muswellbrook Indoor Sport Cntr	Rutherford Road, Muswellbrook 2333	Assisted access
Paterson Public School	Webbers Creek Road, Paterson 2421	Assisted access
Quirindi High School	Hill Street, Quirindi 2343	No wheelchair access
Sandy Hollow Public School	Golden Highway, Sandy Hollow 2333	No wheelchair access
Scone High School	Gundy Road, Scone 2337	Assisted access
Scone Public School	Hill Street, Scone 2337	Fully accessible
Scone Senior Citizens Centre	Oxford Road, Scone 2337	Assisted access
Singleton Heights Public School	Dorsman Drive, Singleton Heights 2330	Assisted access
Singleton High School	York Street, Singleton 2330	Assisted access
Singleton Public School	Elizabeth Street, Singleton 2330	Assisted access
Spring Ridge Hall	82 Darby Road, Spring Ridge 2343	Assisted access
Stan Thieess Mem. Cntr	Victoria Park, Hill Street, Muswellbrook 2333	Fully accessible
Stratford Public School	Avon Street, Stratford 2422	No wheelchair access
Stroud Public School	Erin Street, Stroud 2425	No wheelchair access
Stroud Rd Public School	Bucketts Way, Stroud Road 2415	No wheelchair access
Ulan Public School	Main Street, Ulan 2850	Assisted access
Vacy Arts Hall	779 Gresford Road, Vacy 2421	Assisted access
Wallabadah Public School	Martyn Street, Wallabadah 2343	Assisted access
Willow Tree Hall	New England Highway, Willow Tree 2339	Assisted access
Wingen Arts Hall	14 Madeline Street, Wingen 2337	Assisted access

Appendix C: Upper Hunter by-election, 22 May 2021 – ballot paper

BALLOT PAPER
Legislative Assembly Election – Electoral District of
Upper Hunter
Held on 22 May 2021

DIRECTIONS FOR VOTING

- Write the number **1** in the square next to the candidate of your choice.
- You can show more choices, if you want to, by writing numbers in the other squares, starting with the number **2**.
- Fold this ballot paper so your vote cannot be seen and place it in the ballot box (or in the envelope provided).

O'CONNELL, Kirsty
Independent

LEA, Archie
Independent

PEARS, Eva
LIBERAL DEMOCRATIC PARTY

McNAMARA, Dale
PAULINE HANSON'S ONE NATION

LAYZELL, Dave
THE NATIONALS

NORMAN, Tracy
Independent

REYNOLDS, Steven
Independent

ABBOTT, Sue
THE GREENS

DRAYTON, Jeff
LABOR


BLAIR, Calum
SUSTAINABLE AUSTRALIA

DELLO-IACOVO, Michael
ANIMAL JUSTICE PARTY

GILROY, Sue
SHOOTERS, FISHERS AND FARMERS

FRASER, Kate
Independent

You must not take a ballot paper out of the voting centre

 NSW Electoral Commission

Appendix D: Comparison with the 2019 NSW state general election

Table 11: Upper Hunter electoral district – 2021 by-election versus 2019 state general election

	2021 by-election	2019 state general election
Upper Hunter electoral district enrolment	56,127	55,471
Total votes	48,687	50,226
Turnout	86.74%	90.54%
Formal	47,453	48,525
Informal	1,234	1,701
Formality %	97.47%	96.61%
Candidates (nominated)	13	8
Ordinary (in-person on election day)	23,671	24,758
Absent	n/a*	3,620
Declared facility	n/a**	167
Declaration (enrolment/provisional)	953	786
iVote	2,628	1,684
Postal	2,115	1,423
Early voting (in-person early voting)	19,320	17,788
Apparent failure to vote notices issued ³	6,449	3,985
Staff	395	242
Early voting centres	7	7
Election-day voting centres	38	41

*Out of area voting was not available at this election. **Voting at declared facilities was not offered at this election due to COVID-19 public health concerns.

³ A penalty notice is withdrawn if an elector provides a valid reason for not voting. At the date of this report the enforcement process for failure-to-vote penalty notices for this by-election had not yet been completed.

Appendix E: Upper Hunter district profile

Demographic profile

The Upper Hunter state electoral district covers an area of 27,688 square kilometres. As per the 2016 Census, the district had a population of 75,527, of whom 49.6 per cent were female and 50.4 per cent were male. Indigenous Australians made up 6.7 per cent of the district's population.

The median age of people in Upper Hunter state electoral district was 40 years. Children aged 0–14 years made up 20.4 per cent of the population and people aged 65 years and over made up 16.8 per cent of the population.

In the Upper Hunter district, 84.2 per cent of people were born in Australia. The most common countries of birth after Australia were England 1.8 per cent, New Zealand 1.3 per cent, Philippines 0.5 per cent, South Africa 0.3 per cent and Ireland 0.2 per cent. In Upper Hunter, 89.8 per cent of people only spoke English at home. Other languages spoken at home included Mandarin 0.2 per cent, Tagalog 0.2 per cent, Afrikaans 0.2 per cent, Filipino 0.1 per cent and German 0.1 per cent.

Historical electoral representation

Previous recent New South Wales Legislative Assembly representation for the Upper Hunter district.

Table 12: Upper Hunter state electoral district historical representation

Date	Name	Party
2015–2021	Michael John JOHNSEN	National Party of Australia – NSW
1988–2015	George SOURIS	National Party of Australia – NSW
1970–1988	Colin Murray FISHER	National Party of Australia – NSW
1962–1969	Frank Lionel O'KEEFE	National Party of Australia – NSW

Appendix F: Advertising, media and communications

Media releases

Media releases were distributed to promote key milestones of the election, including open of candidate nominations; ballot paper draw; commencement of early voting; election day; and to announce the results.

Release: 30 April 2021

Candidate nominations open Upper Hunter by-election

Candidate nominations are open for the Upper Hunter State by-election on Saturday, 22 May 2021.

Following the issue of the writ on Friday, 30 April, nominations can now be lodged and will close at 12 noon on Wednesday, 5 May 2021.

Candidates may be nominated by either a registered political party or 25 voters enrolled in the Upper Hunter State district.

Nominations forms are available from elections.nsw.gov.au or by calling the candidate helpdesk on 1300 022 011.

Nominations must be submitted at either the Election Manager's office in Singleton or at the NSW Electoral Commission's office in Sydney, details of which can be found on our website. The deposit for a nomination is \$250, to be paid in the form of cash or bank/building society cheque. Electronic nomination and payment is not available. Late nominations cannot be accepted for any State election.

Further information about the nomination process and the by-election is available at elections.nsw.gov.au.

Release: 3 May 2021

Candidates to be announced Upper Hunter by-election

Candidates who have nominated for the Upper Hunter State by-election on Saturday, 22 May will be announced this coming Friday, 7 May by the NSW Electoral Commission.

A ballot paper draw will be held to determine the position of candidate names on the ballot paper at 9am. This will take place at the Election Manager's office at 31 John Street, Singleton.

The ballot paper draw is open to the media, candidates and the public, subject to following COVID-19 safety measures. Attendees will be asked to register their attendance via QR code and comply with physical distancing requirements, in line with current public health guidance. Attendees may also be asked to wear a mask if numbers require.

Nominations are confidential until the conduct of the ballot paper draw, after which time candidate details will be published in ballot paper order on the Commission's website.

Further information about the nomination process and the Upper Hunter by-election is available at elections.nsw.gov.au.

Release: 7 May 2021

Candidates announced Upper Hunter by-election

Candidates for the Upper Hunter State by-election on Saturday, 22 May have been announced by the NSW Electoral Commission.

Following the ballot paper draw at 9am at the Election Manager's office at 31 John Street, Singleton, candidate details have been published in ballot paper order on the Commission's website.

[View candidates](#)

Further information about the Upper Hunter by-election is available at elections.nsw.gov.au.

Release: 10 May 2021

Early voting open Upper Hunter by-election

Early voting in person is now available for eligible voters of the Upper Hunter electoral district ahead of the State by-election scheduled for Saturday, 22 May 2021.

Voting in the State by-election is compulsory for electors in the Upper Hunter district. From today, eligible electors who cannot get to a voting centre on election day can vote early in person.

"Any elector in the Upper Hunter who believes they will be unable to vote in person on Saturday, 22 May should explore other voting options now to ensure their vote is counted. Voters can check their eligibility to vote early in person, and where they can vote, on the Electoral Commission's website," said John Schmidt, NSW Electoral Commissioner.

All early voting centres in the Upper Hunter will be run in line with the NSW Electoral Commission's COVID-safe action plan. Voters will be asked to maintain physical distancing and register their attendance upon arrival at a voting centre using the Service NSW app. Voters can use their own pen to vote or they will be provided with a single use pen at the voting centre.

Early voting centres will be operating at different times and dates, with details listed on the [Commission's website](#), in:

- Muswellbrook
- Dungog
- Quirindi
- Gloucester
- Sydney CBD
- Singleton
- Scone

All early voting centres will close at 5pm on Friday, 21 May.

An application to postal vote can be made by eligible electors by returning a completed application form by post or online through the [Commission's website](#).

Applications for postal voting must be received by 6pm on Monday, 17 May.

Another option for eligible voters unable to attend in person is the Commission's technology assisted voting platform, iVote. There are specific criteria for using iVote, so voters should check first whether they qualify on the website. Registrations for iVote open on Monday, 17 May, and will be accepted until 1pm on election day.

For more information, including checking your eligibility to vote early, by post or by iVote, visit elections.nsw.gov.au.

Release: 22 May 2021

Upper Hunter goes to polls Upper Hunter by-election Saturday, 22 May

More than 40 per cent of eligible voters have already had their say ahead of election day in the Upper Hunter State electoral district by-election.

Almost 23,000 voters have voted in-person at early voting centres, or by using postal voting or iVote, the NSW Electoral Commission's technology assisted internet and telephone voting platform.

NSW Electoral Commissioner John Schmidt reminded electors they can cast their vote in person until 6pm on election day, Saturday 22 May.

"Voting at the by-election in the Upper Hunter today is compulsory for all enrolled residents of the Upper Hunter," he said.

"I'd encourage electors who are planning to vote in-person on election day to check our website - elections.nsw.gov.au - for a full list of voting centres."

All voting centres will be run in line with the NSW Electoral Commission's [COVID-safe action plan](#). Voters are asked to maintain physical distance and check in to the voting centre using the Service NSW app. Voters can use their own pen to vote or they will be provided with a single use pen at the voting centre.

Timeline

- In-person voting at voting centres opens at 8am and closes at 6pm Saturday, 22 May
- iVote closes at 6pm Saturday, 22 May
Voters who meet the eligibility requirements to use iVote need to register to vote by 1pm, Saturday 22 May. Voters can check their iVote eligibility at elections.nsw.gov.au.
- Postal voting
Postal vote applications have closed. Postal votes must be returned by 6pm, Wednesday 26 May.

Results

- Initial count results will appear on the NSW Electoral Commission's website from approximately 7pm on Saturday, 22 May.
- Results will be progressively updated on the NSW Electoral Commission website from Sunday, 23 May throughout the week following election day.

Release: 27 May 2021

Distribution of preferences Upper Hunter by-election

The distribution of preferences for the Upper Hunter State by-election will take place from 9am Friday, 28 May at the Election Manager's office at 31 John Street, Singleton.

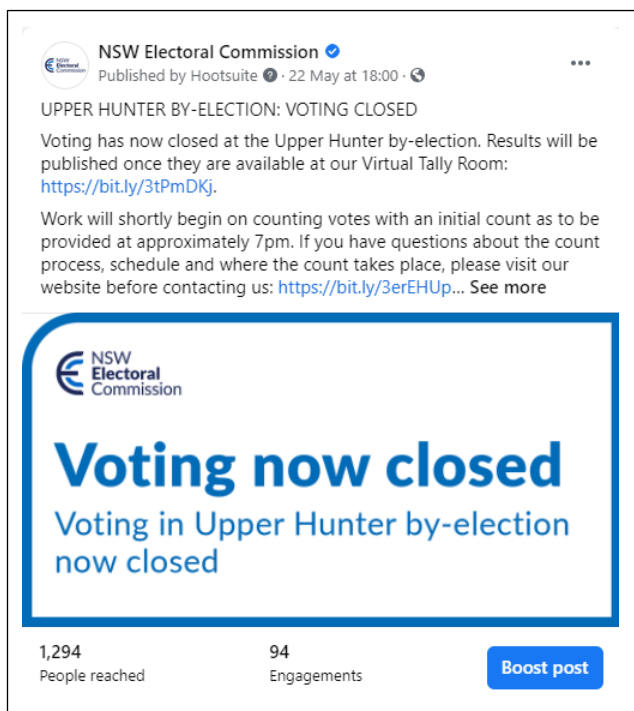
The event will be run in line with the NSW Electoral Commission's COVID-safe action plan. Attendees are asked to maintain physical distance and check in to the Election Manager's office using the Service NSW app. Attendees may also be asked to wear a mask to comply with COVID health advice.

The distribution of preferences will be published on the Commission's website from approximately 10am.

Further information about the process and the Upper Hunter by-election is available at elections.nsw.gov.au.

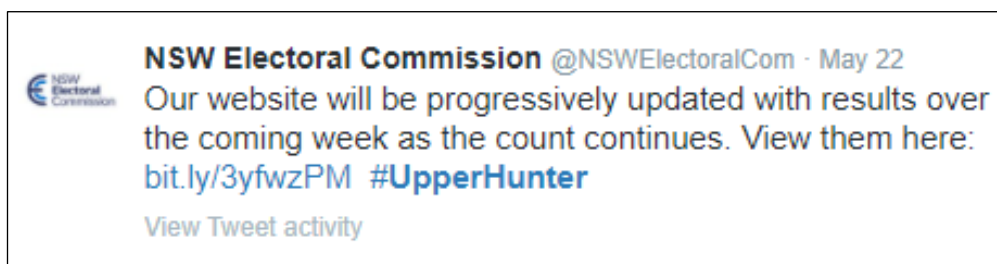
Facebook: Top-performing post

The ‘voting now closed’ post was the best performer in both engagement and reach during the by-election. The post had 94 reactions and reached 1,264 people.

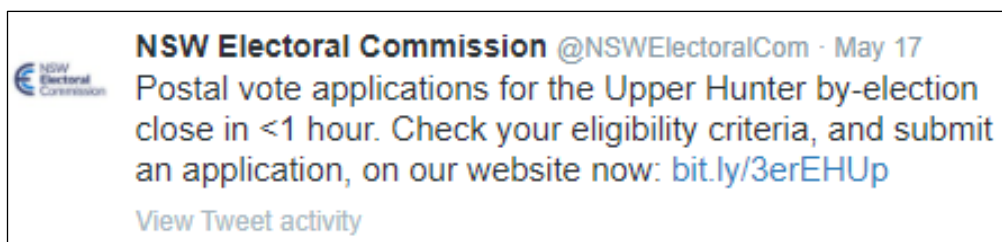


Twitter: Top-performing tweets

A tweet about results had the strongest engagement, with a rate 9.4 per cent. This rate is calculated on the number of engagements (clicks, retweets) divided by the total number of times the tweet was seen.

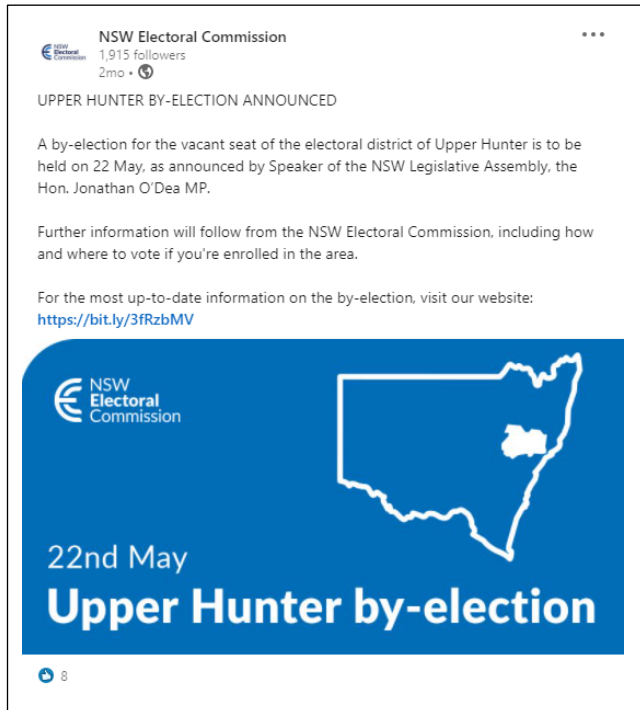


The postal vote applications closing reminder tweet had the highest number of views at 6,060.



LinkedIn: Top-performing post

The announcement of the Upper Hunter by-election was the best performing post in both engagement and views during the by-election period. The post had eight reactions and reached 617 people.



Radio releases


Pre-recorded 'grabs' were produced on election topics covering: early voting and eligibility criteria, iVote, voting locations and COVID safety. The grabs were played across the Upper Hunter region, including on ABC Upper Hunter, Muswellbrook 2NM/Power, Sydney 2SM (Super Radio) and Newcastle SCA Local.

Audience reach:

- 218,600 people for the release providing information on early voting
- 200,600 people for the release notifying listeners the by-election was the following day.

Print advertising

The Upper Hunter by-election ads were run across local and state-wide print media: the Sydney Morning Herald, Daily Telegraph, The Land, Dungog Chronicle, Gloucester Advocate, The Hunter River Times, The Maitland Mercury, Newcastle Herald and The Singleton Argus.



Upper Hunter by-election Saturday, 22 May 2021 Nominations are now open

Nominations are now open for candidates who wish to stand for the State district of Upper Hunter.

Nominations may be lodged:

- In person at the NSW Electoral Commission, 231 Elizabeth Street, SYDNEY NSW 2000
- In person at the election manager's office, 31 John Street, SINGLETON NSW 2330
- By email to candidates@elections.nsw.gov.au, noting that the nomination deposit cannot be paid by email.

General

Nomination forms, child protection declarations and nomination deposits can be lodged following the issue of the writ on **Friday, 30 April** and must be received by **12 noon, Thursday 6 May 2021**.

Nomination forms are available at elections.nsw.gov.au or by calling **1300 022 011**.

Information about nominations is available on our website. Late nominations will not be accepted and a deposit is required for all nominations.


Electoral material to be distributed on election day must be registered with and approved by the Electoral Commissioner. It is an offence to distribute unregistered electoral material on election day.

The registration period for electoral material opens **Thursday, 6 May** and closes **5pm, Friday, 14 May 2021**. Forms for registering electoral material are available on our website.

Enquiries: elections.nsw.gov.au or call 1300 022 011.

For enquiries in languages other than English, call us via the Translating and Interpreting Service on 13 14 30.
If you are deaf, or have a hearing or speech impairment, call us via the National Relay Service on 13 36 77.

John Schmidt, Electoral Commissioner for NSW



Upper Hunter by-election Saturday 22 May 2021

Early voting options will be available from **Monday 10 May** for enrolled residents of the Upper Hunter electoral district ahead of the by-election scheduled for **Saturday, 22 May 2021**.

Vote by post*

Eligible voters can apply for a postal vote now at our website or by calling 1300 135 736. Your application must be completed and received no later than 6pm Monday, 17 May.

Vote early in-person*

Early voting begins at 9am Monday, 10 May and ends at 5pm Friday, 21 May. Early voting locations are listed on our website and are generally available during office hours, Monday - Friday.

Not all early voting locations are open for the whole early voting period. For opening times and locations, visit our website.

Vote online*

Eligible voters can apply to vote using the NSW Electoral Commission's technology assisted voting platform, iVote, from Monday, 17 May 2021 on our website or by calling 1300 135 736. Your application must be completed and received by 1pm Saturday, 22 May.

*Subject to eligibility. Check your eligibility at elections.nsw.gov.au

Information on candidates

Candidate information will be available for viewing on our website following the ballot paper draw occurring 9am Friday, 7 May.


Voting is compulsory

Voting is compulsory for all Upper Hunter State electoral district residents of voting age. There are penalties for not voting.

More information
[Visit elections.nsw.gov.au](http://elections.nsw.gov.au) or call **1300 135 736**

For enquiries in languages other than English, call the interpreting service on 13 14 50.
For hearing and speech impaired enquiries, call via the National Relay Service on 13 36 77.

John Schmidt, Electoral Commissioner for New South Wales



Upper Hunter by-election Saturday 22 May 2021

Voting on election day

Voting centres will open **8am - 6pm Saturday, 22 May**. A full list of locations is available on our website.

Vote by post

Applications for postal voting have now closed. Completed postal voting forms must be returned by **6pm Wednesday, 26 May**.

Vote early in-person*

Early voting in-person is available now and ends **5pm Friday, 21 May**. Early voting locations are listed on our website.

Vote online*

Eligible voters can now apply to vote using the Commission's technology assisted voting platform, iVote, on our website or by calling 1300 24 86 83. Your application must be received by **1pm Saturday, 22 May**. Voting using iVote closes at **6pm on Saturday, 22 May**.

*Subject to eligibility. Check your eligibility at elections.nsw.gov.au

Information on candidates

Candidate information is available for viewing in ballot paper order on our website.


Voting is compulsory

Voting is compulsory for all residents of voting age in the Upper Hunter electoral district. There are penalties for not voting.

More information
[Visit elections.nsw.gov.au](http://elections.nsw.gov.au) or call **1300 135 736**

For enquiries in languages other than English, call the interpreting service (TIS) on 13 14 50.
If you are deaf, hard of hearing and/or have a speech impairment, please contact us through the National Relay Service on 13 36 77.

John Schmidt, Electoral Commissioner for New South Wales



Upper Hunter by-election Saturday 22 May 2021

Results

The results of the Upper Hunter state by-election held on **Saturday, 22 May 2021** are now available on the NSW Electoral Commission's website, elections.nsw.gov.au.

It is anticipated that all counts will be completed and results declared by **end of day Saturday, 29 May**.

Information on counting locations, schedule and an explanation of voting methods can also be found on the NSW Electoral Commission website.

Failure to vote

Voting at the Upper Hunter by-election was compulsory for all Upper Hunter State electoral district residents of voting age. Penalties may apply if you did not vote.

More information
[Visit elections.nsw.gov.au](http://elections.nsw.gov.au) or call **1300 135 736**

For enquiries in languages other than English, call the interpreting service on 13 14 50.
For hearing and speech impaired enquiries, call via the National Relay Service on 13 36 77.

John Schmidt, Electoral Commissioner for New South Wales

Digital advertising

Digital advertising was deployed across key channels by the NSW Government media buying agency, Wavemaker, appearing in paid ads on social and high-value websites such as smh.com.au and news.com.au. The campaign was targeted by geography to ensure relevancy. The campaign drove 3,783 website views and was seen by 813,144 individuals, achieving an ad recall of 7.6 per cent, in excess of the NSW Government benchmark of 4 per cent.

