

12 November

2016

Report on the Conduct of the Election

Wollongong State By-election



The New South Wales Electoral Commission (NSWEC)

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The Hon. Gladys Berejiklian MP
Premier
52 Martin Place
SYDNEY NSW 2000

Dear Premier

I am pleased to submit to you, for presentation to Parliament, my report on the conduct of the State By-election held on 12 November 2016 for the Legislative Assembly District of Wollongong.

Yours sincerely



John Schmidt
Electoral Commissioner
21 June 2017

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Foreword

This report provides information on the conduct of the by-election held for the Wollongong Electoral District on 12 November 2016 following the resignation of Ms Noreen Hay MP on 31 August 2016.

The Writ for the Wollongong By-election was issued on Friday, 23 September 2016, giving the New South Wales Electoral Commission (NSWEC) seven weeks to prepare the by-election.

The conduct of the election proceeded smoothly. The turnout and informality rates for the Wollongong By-election were 84.97 per cent and 3.17 per cent, respectively.

The NSWEC provided the first preference count by 10.30pm on election night and declared the poll at 3pm on Thursday 17 November 2016, five days after the election. This was within the range for declaration of the poll for earlier State by-elections.

The delivery of efficient, accurate and trusted elections, in accordance with NSW electoral legislation, relies heavily upon the capability of NSWEC staff. I would like to take this opportunity to record my thanks to these staff and the NSWEC's suppliers and contractors for their contribution and commitment to the successful conduct of the Wollongong By-election.

Overview

By-election Outcome

The candidate elected at the Wollongong By-election on 12 November 2016 was Mr Paul Scully (Australian Labor Party) with 23,588 votes, 48.07 per cent of first preference votes.

Candidates Standing for Election

Candidate Name	Party Affiliation
Scully, Paul	Australian Labor Party
Baxter, Colleen,	Christian Democratic Party
Bradbery, Gordon,	Independent
Rossi, Joe	Shooters, Fishers and Farmers Party
Blakey, Cath	The Greens

Cost data

Cost of By-election	\$669,499
Cost per Elector	\$11.22

By-election Summary

Enrolment	
Total Electors	59,640
Electors enrolled or re-enrolled via SmartRoll	1,416
Voting Venues	
Pre-poll venues	2
Polling Places (including pre-poll and Declared Institutions)	39
Staff employed for election	182
Voter Turnout	
Formal votes	49,073
Informal votes	1,605
Total votes	50,678
Voter turnout	84.97%
Formality rate	96.8%
Non-voting penalty notices issued	6,723 ¹
Penalty notices issued as % of Roll	11.2%
Voting Options used by Electors	
Ordinary	37,445
iVote	2,511
Postal	1,568
Pre-poll	8,426
Declared Institution	55
Enrol and vote	561
Provisional/Silent	100
Candidates	
Total candidates	5

¹ A penalty notice is withdrawn if an elector provides a valid excuse 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

Date	Matter
23 September 2016	Issue of Writ
23 September 2016	Commencement of capped expenditure period
23 September 2016	Candidate and third-party campaigner registration opens
23 September 2016	Close of Authorised Roll (6:00pm)
23 September 2016	Candidate nominations open
25 October 2016	iVote Registration opens (10:00am)
26 October 2016	Close of party nominations at NSWEC HO (12 noon)
27 October 2016	Close of nominations at RO office (12 noon)
27 October 2016	Candidate registrations close (12 noon)
27 October 2016	Ballot paper draw (2:00pm)
27 October 2016	Registration of Electoral Materials commences
31 October 2016	Pre-poll voting opens (8:00am-6:00pm)
31 October 2016	iVote voting opens (8:00am)
4 November 2016	Registration of Electoral Material closes (5:00pm)
4 November 2016	Registration of third-party campaigners closes (5:00pm)
7 November 2016	Postal vote application (outside Australia) closes (6:00pm)
7 November 2016	Declared Institution voting starts
9 November 2016	Postal vote application (within Australia) closes (6:00pm)
11 November 2016	Pre-poll voting closes (6:00pm)
11 November 2016	Declared Institution voting ends
12 November 2016	Election Day (8:00am-6:00pm)
12 November 2016	End of capped expenditure period
12 November 2016	iVote registration closes (1:00pm)
12 November 2016	iVote voting closes (6:00pm)
16 November 2016	Receipt of postal votes declarations closes (6:00pm)
17 November 2016	Declaration of Poll
21 November 2016	Writ returned
25 November 2016	Last day of return of writ.

Features of the Wollongong By-election



1. Internet and Telephone Voting (iVote)

The *Parliamentary Electorates and Elections Act 1912* provides for internet and telephone voting (iVote) to be used in Parliamentary by-elections

Both online and telephone voting were provided for the Wollongong by-election, with online voting being the preferred option for electors who use iVote.

The criteria applied to electors seeking to use iVote were the same as in other elections, that is, electors were eligible to use iVote if they:

- had a visual impairment;
- had another disability or disabilities;
- were 20 kilometres or more from a polling place; or
- were outside NSW on election day.

Registration was open between 26 October and 12 November 2016. Voting using iVote commenced 31 October 2016 and closed 12 November 2016

There were 2,511 iVotes taken (4.95 per cent of total votes).



2. Automatic Enrolment and Re-enrolment

The NSWEC uses its SmartRoll system to increase elector enrolment through automatic enrolment and change of enrolment details. The SmartRoll system makes use of data held by other NSW public sector agencies, such as licensing authorities and the Registry of Births, Deaths and Marriage, as well as the Australian Electoral Commission. Changes of address and other information relevant to enrolment are forwarded automatically to the NSWEC when eligible electors update their details with certain government agencies.

At the time of the Wollongong By-election 59,640 electors were on the roll. Through the use of SmartRoll, 1,416 Wollongong electors, 2.4 per cent of the total number of electors in that district, were either newly enrolled or had their enrolment details updated.

Wollongong Electoral District

Wollongong District Profile



The State Electoral District of Wollongong covers the City of Wollongong.

Area

79.25 square kilometres

Postcodes

2500, 2502, 2505, 2506, 2518, 2519, 2525, 2526, 2528

Local Government Areas covered

Wollongong

Localities

Berkeley, Coniston, Cordeaux Heights, Corrimal, Cringila, Fairy Meadow, Farmborough Heights, Figtree, Gwynneville, Kembla Grange, Kembla Heights, Lake Heights, Mangerton, Mount Kembla, Mount Saint Thomas, North Wollongong, Port Kembla, Primbee, Towradgi, Unanderra, Warrawong, West Wollongong, Windang, Wollongong.

Demographic Profile

The 2011 census revealed that Wollongong had 73,718 residents (excluding overseas visitors) of whom 50.08 per cent were female (36,795) and 49.92 per cent were male (36,923). Indigenous Australians made up 2.3 per cent (1,700) of the population.

The median age was 37 years, the average for Australia overall. A little over one sixth of the population was aged 65 or over (17.3 per cent) and 22.4 per cent were aged under 20.

Approximately two-thirds (66.4 per cent) of people were born in Australia. The most frequent countries of birth after Australia were England (3.4 per cent), Former Yugoslav Republic of Macedonia (FYROM) (3.4 per cent), China (2.3 per cent), Italy (1.9 per cent) and Portugal (1.1 per cent).

Throughout the electorate, 69.5 per cent of people speak only English at home. Other languages spoken at home included:

- Macedonian (5.5 per cent)
- Italian (2.7 per cent)
- Arabic (2.0 per cent)
- Mandarin (1.7 per cent)
- Greek (1.4 per cent).

Historical Electoral Representation

Previous recent State representation for the Wollongong District has been:

Date	Name	Party
2003 – 2016	Noreen HAY	Australian Labor Party
1999 – 2003	(Col) Colin William MARKHAM	Australian Labor Party
1991 – 1999	(Gerry) Gerald James SULLIVAN	Australian Labor Party

Services to Electors

The NSWEC undertook an advertising and communication campaign to raise awareness of the Wollongong By-election and provide necessary information to electors and candidates. The major aspects of this strategy involved paid advertisements, an elector brochure sent to each enrolled elector and active media liaison. All communications activity directed people to the NSWEC website which provided further detailed information about the election.

Advertising

The *Parliamentary Electorates and Elections Act 1912* prescribes that certain advertising must occur. The advertising strategy for the Wollongong By-election involved placing newspaper advertisements in state-wide and local newspapers supporting the phases of the election:

- Enrol to vote
- Issue of Writ / Nominations information
- Early voting options – including pre-poll, postal, iVote and register electoral material
- Remember to vote – including a list of candidates

In addition, digital display advertisements were placed to target eligible iVote users who were interstate or overseas.

Elector brochure

The vast majority of enrolled electors were sent a personalised elector brochure to their nominated mailing address. The brochure contained information about the by-election including a list of polling places. There were 59,287 brochures printed for electors in Wollongong. A copy of the brochure can be found at Appendix A.

Media Liaison

Targeted media releases supported the various phases of the election. The media officer provided live and pre-recorded interviews as required and answered all media enquiries about the election.

NSWEC Website

The NSWEC's website provided a range of information concerning participation in the by-election, including the election timetable, employment opportunities, enrolment, polling places, candidate requirements, names of candidates and poll results.

Use of the NSWEC's website is typically greatest on election night when users seek information on results. On election night, the Wollongong By-election results page had 8,763 unique views.

Election Reminder Service

This reminder service enables electors to register with the NSWEC to be kept notified, by SMS message, email, or both, of impending elections and sent one or more reminders to vote.

For the Wollongong by-election, a total of 854 email reminders were sent. There were 850 SMS reminders. In all, 503 electors availed themselves of the service.

Service Standards

The NSWEC seeks to meet the expectations of electors about its electoral services and to this end has developed a Service Charter which outlines the NSWEC's election service standards. The 2014-16 NSW State Election Service Commitments Charter was the overall service standard for this by-election. In short, the NSWEC undertakes to:

- Foster participation in the democratic process
- Provide seamless service delivery
- Be customer focussed and commercially minded
- Be innovative and fast adaptors

The Service Charter can be found at Appendix D.

Culturally and Linguistically Diverse Electors

The Wollongong electoral district is not considered to be a high culturally and linguistically diverse (CALD) district, so materials were not produced in languages other than English.

All electors had access to interpreters via the Translating and Interpreting Service. This service was promoted in the on-line training for Polling Place Managers and Election Officials.

Electors with Disabilities and Access to Polling Places

The NSWEC aimed to provide the most accessible and appropriately sited polling places possible for the Wollongong By-election. Detailed information was provided, allowing electors with mobility issues or other disabilities to locate the most suitable polling place. This access information was provided on the NSWEC's website, in the elector brochure and by the NSWEC's staff.

The NSWEC uses the Assisted Access rating system, which rates the accessibility of each of the polling places in the Wollongong District, and allows people to make more informed choices about which polling place to use.

Arrangements for Voting before Election Day

Electors unable to vote on election day had the opportunity to vote early using iVote, postal or pre-poll voting. Early voting included voting in Declared Institutions.

A total of 8,426 electors voted early, representing approximately a sixth of total votes cast. This volume is in line with a general trend of early voting across NSW and other jurisdictions.

Postal Voting

Electors unable to attend a polling place on election day were able to apply for a postal vote. Postal vote application forms were available from the Returning Officer and the NSWEC's website. All postal votes were scrutinised by the Returning Officer prior to the return date. Electors registered as 'General Postal Voters' were sent vote material by post to their address.

Of 2,152 Postal Votes Issued, 1,567 were accepted, 73 were rejected and 512 were not scrutinised, either because they were returned too late or not returned at all.

Pre-poll Voting

Pre-poll voting occurred from Monday, 31 October 2016 until Friday, 11 November 2016 at two locations; the Returning Officer's office and the NSWEC's office in the Sydney CBD. The pre-poll locations were listed in the elector brochure and on the NSWEC website.

Pre-polling for electors who were overseas or interstate was provided via postal voting or iVote.

Pre-poll Returning Officer's Office

263 Keira Street, Wollongong

Access: Assisted Access: No designated accessible parking, no accessible toilet.

31 October 2016 - 11 November 2016

Monday to Friday: 8:00am - 6:00pm

Thursday (10 November): 8:00am - 8:00pm

Saturday: 9:00am - 5:00pm

Pre-poll NSWEC Head Office

Level 25, 201 Kent Street Sydney

Access: Assisted Access: No designated accessible parking, no accessible toilet.

Monday 31 October to Friday 11 November – 9:00am to 5:00pm. Closed Saturday and Sunday.

Polling Places

As noted earlier, securing appropriate premises for polling places and the Returning Officer's office can be difficult. The pool of available rental premises is limited by the short-term nature of the lease and the NSWEC's space, accessibility, location and workplace health and safety requirements.

Hospitals and Declared Institutions

The *Parliamentary Electorates and Elections Act 1912* allows the Electoral Commissioner to appoint hospitals, convalescent homes or similar institutions as places at which residents or inpatients of those institutions can cast their votes before election day.

In the conduct of the Wollongong By-election, 11 venues were originally designated as Declared Institutions. Eight subsequently requested postal votes. The remaining three were visited during the period Monday 7 November 2016 to Friday 11 November 2016.

Services to Candidates and Registered Political Parties

Nominations

Nomination forms were available from the NSWEC website and could be lodged after the issue of the Writ (Friday, 23 September 2016). The Writ set 26 October 2016 as the date for close of nominations for political parties lodging forms with the NSWEC's head office and 27 October 2016 for candidates lodging forms with the Returning Officer.

Registered Officers (or Deputy Registered Officers) of registered political parties could nominate candidates at the NSWEC's office in the city or at the Returning Officer's office in Wollongong. Independent candidates could only nominate at the Returning Officer's office.

There were five nominated candidates. Following the close of nominations the Returning Officer conducted a draw to determine the order of candidates on the ballot paper.

Registrations

Candidates and third-party campaigners were required to register for the by-election before accepting political donations or making payments for electoral expenditure. Registration forms could be lodged with the NSWEC from the issue of the Writ (Friday, 23 September 2016).

Candidates had until Thursday, 27 October 2016 to submit a registration form, while third-party campaigners had until Friday, 4 November 2016.

Five candidates and two third-party campaigners applied to be registered for the by-election.

'How-to-Vote' Material

Registration of 'How-to-Vote' material was handled centrally. Registration of this material opened on 27 October 2016.

Close of applications to register 'How-to-Vote' materials was 5:00pm, Friday 4 November 2016.

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Conducting the Wollongong By-election

Returning Officer Arrangements

The Returning Officer's office was situated at 263 Keira Street, Wollongong. Returning Officer's duties include:

- set up and decommissioning of the (temporary) office;
- training of office staff and polling place managers;
- arranging voting at polling places and Declared Institutions;
- issuing and processing postal and pre-poll votes;
- dealing with enquiries from candidates and electors and other feedback;
- processing candidate nominations and how-to-vote material; and
- counting votes and declaring the results of the election.

A Returning Officer Support Officer was appointed in the NSWEC's head office to provide support on electoral matters and procedures.

Election Costs

The expenditure on the Wollongong By-election was \$669,499. The cost per elector was \$11.22.

Logistical and Other Support

Staffing

The majority of staff were employed to work on election day in polling places as Polling Place Managers or Election Officials. In addition casual staff were employed in the Returning Officer's office to pack materials for each polling place, operate pre-poll voting, visit Declared Institutions, count votes and pack materials after the election.

Recruitment of election staff took place via the NSWEC on-line registration system. Staff were made up of 26 Polling Place managers, 33 Declaration Vote issuing Officer, 99 Election Officials, 19 Office Assistants, four Senior Office Assistants and the Returning Officer. Of the total staff employed, 2.3 per cent identified as Indigenous, 9.7 per cent were bilingual, and 3.4 per cent had a disability.

The Polling Place Managers, their Deputies and Declaration Vote Issuing Officers all received online training. All Election Officials were issued a manual to study and for use on election day.

The entire employment process is undertaken online, including the provision of bank, tax and superannuation details.

Supplies

A total of 77,600 ballot papers were printed by the NSWEC's preferred security printer, with ballot papers having a security background. A copy of the ballot paper is at Appendix C.

Waste Management

The NSWEC is bound by the NSW Government's waste management policy. In providing electoral services the NSWEC seeks to use, wherever possible, paper and cardboard comprising recycled content and to ensure that the paper and cardboard materials are themselves recycled.

In the Wollongong By-election, standard cardboard materials were used in polling places. These included voting screens, wheelchair screens, ballot boxes, caution signs and recycle bins. After the election, the materials were taken to the nearest council recycling facility.

IT Support

For the Wollongong By-election the Election Management Application was used. An internet based application for the use of Returning Officers, 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, results and non-voter administration.

In addition, IT equipment is provided to the Returning Officer's office and polling places.

Results

On election night, the NSWEC provides the result of counts conducted at each polling place 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 candidate preferred count). The results are shown on election night from 6.30pm and progressively updated.

On the day after polling day, all the ballot papers from every polling place are recounted to ensure the election night count is accurate (the check count).

Declaration votes are added progressively with postal votes accepted up to Wednesday afternoon after election day. At this point, the final distribution of preferences is conducted.

Candidates' scrutineers are welcome to attend all counts.

Table 1: Final Results Wollongong By-election held 12 November 2016

Candidates	First preference Votes	
Scully, Paul	23,558	ELECTED
Baxter, Colleen	1,769	
Bradbery, Gordon	16,707	
Rossi, Joe	1,793	
Blakey, Cath	5,216	
Total Formal Votes	49,073	
Total Informal Votes	1,605	
Total Votes	50,678	
Absolute Majority	24,537	

More detailed information on the counts is available on the NSWEC's website www.elections.nsw.gov.au.

The availability of results met the NSWEC's service standards as shown below.

Table 2: Wollongong By-election Results Provision and Targets

Polling Places (44)	TARGET		ACTUAL	
	First Preference	Two Candidate Preferred	First Preference	Two Candidate Preferred
8:00pm	80%	N/A	80%	N/A
9:00pm	90%	N/A	100%	N/A
10:30pm	-	N/A	-	N/A
11:00pm	-	N/A	-	N/A

Declaration of the Poll

On Thursday, 17 November 2016, the Returning Officer declared Mr Paul Scully elected.

The elapsed time of five days from polling day is a similar interval to that for by-elections held in 2014, while by-elections held in 2013 for Miranda and Northern Tablelands were declared in three days and six days, respectively.

Enforcement of Compulsory Voting

Failure to Vote

Under electoral legislation, the Electoral Commissioner is required to issue '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 excuse. The penalty for not voting in a State by-election is \$55. The funds generated from penalty notices are not collected or retained by the NSWEC but are directed to NSW Government consolidated revenue.

All electoral rolls marked at polling places or in the Returning Officer's office were scanned after election day to create a list of non-voters for the Wollongong by-election.

The number of electors who were issued with penalty notices was 6,723 (11.2 per cent of electors on roll). The remainder of electors who did not vote had provided a valid excuse for not voting either prior to or immediately after election day. Non-voting rates tend to be higher in by-elections than in general elections. For the 2015 State Government Elections, 2,359 people appeared to have failed to vote, of whom 1,075 provided valid and sufficient reasons for failing to do so.

Initial Apparent Failure to Vote notices for the 2016 State by-elections were issued on 7 February 2017. The notice provides options to satisfy the matter by either

- Paying the penalty of \$55.00;
- Notifying us of the polling place in which they attended;
- Submitting a reason for failure to vote for review; and/or
- Electing for the matter to be dealt with by a court.

If a person does not respond to the initial Apparent Failure to Vote notices 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. These notices are effectively identical to the initial Apparent Failure to Vote notice.

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 or electing for the matter to be dealt with by a court. On 8 May 2017, 585 final notices were issued.

If no response to the reminder notice or final notice is received by the due date, the matters are referred to State Debt Recovery for enforcement action.

To help electors avoid this penalty in future elections, the penalty notice advises non-voters of the availability of the 'Voter Reminder Service'. Voters can be notified by email, text message, or both, and can receive both an early warning and a reminder.

Compliance Operation – State by-elections November 2016

Overview and Objectives

The NSWEC is responsible for ensuring compliance with and enforcement of the *Parliamentary Electorates and Elections Act 1912* (PEE Act) and the *Election Funding, Expenditure and Disclosures Act 1981* (EFED Act). The Funding, Disclosure and Compliance (FDC) Division oversees the enforcement functions.

Until 2014, the NSW Police Force was responsible for the investigation and enforcement of offences against the PEE Act. Where offences were suspected, Returning Officers and/or Polling Place Managers were responsible for their management and reporting. Significant breaches were reported to the NSW Police and or the NSWEC's Elections Branch some time after the election. In December 2014, the NSWEC assumed responsibility for the investigation and enforcement of offences under the PEE Act.

In 2015, the FDC division was restructured to include a new Compliance Unit, with investigators, auditors and an intelligence analyst with the power to investigate offences against the PEE and EFED Acts.

The By-election Compliance Operation was the first such operation by the new Compliance Unit. The operation provides an opportunity for the NSWEC to further its objective of establishing a stronger regulatory function.

Table 3: Potential Offences under the EFED Act

Section	Offence	Penalty
s96AA s96l(1)	Third-party Campaigner – Failure to register and appoint an agent`	\$44,000 or 2 years imprisonment or both

Table 4: Potential Offences under the PEE Act

Section	Offence	Penalty
s87A(2)	Obstruct mobile polling station	\$55
s90(4)	Offences by scrutineers	\$1100
s93(2)	Offences at Polling Place	\$550
s112(1)(d)	Multiple Voting	\$1100 or 3 years imprisonment
s113	Obstructing elector	\$55
s114(4)	Contravene direction of Returning Officer or Polling Place Manager	\$550
s114U	Scrutineer Offences	\$1100 or 3 years imprisonment
s150	Treating	\$11000 or 3 years imprisonment
s151	Intimidation	\$11000 or 3 years imprisonment
s151A	Printing false information	Corporation: \$5500 Individual: \$1100 or 6 months imprisonment
s151B	Poster offences	\$330
s151E	Distribution of election material – Name, address, author and printer details	\$1100 or 6 months imprisonment
s151F	Distribution of electoral material on polling day	\$1100 or 6 months imprisonment
s151H	Canvassing at polling place	\$550

Execution

The Compliance Operation took place from the opening of pre-poll on 31 October 2016 until election day. Six investigators from the NSWEC participated in the operation. In addition to their functions as inspectors under the EFED Act, they were also appointed to the role of Election Assistant under the PEE Act so that they could exercise functions under that Act throughout the operation.

Investigators visited a total of 14 pre-poll and polling places in the electorate and made contact with various stakeholders, including the returning officer, polling place managers, candidates and their campaigners or volunteers. The presence of the investigators served the dual purpose: of educating stakeholders in their obligations under the PEE Act and the EFED Act and acting as a deterrent to non-compliant behaviour.

Investigators also made enquiries concerning allegations of breaches of legislation. Across the three by-elections held on 12 November the most common allegations received involved:

- material that did not display the name and address of author and printer
- unregistered material being distributed on election day
- unregistered third-party campaigner

In the case of allegations that electoral material did not display the name and address of author and printer, investigators identified the person responsible for the material, requested that the material be corrected or taken down, and either explained the legislation or issued an official warning.

For allegations of unregistered material being distributed on election day, investigators verified that the material distributed on election day had in fact been registered.

Investigators dealt with unregistered third-party campaigners by identifying the person responsible for the material, assessing the content of the material and the amount spent on electoral communication expenditure (e.g. requested copies of invoices from vendors) to confirm whether or not the person was a third-party campaigner, and educating the responsible person about the legislation through communication and/or official warning.

Comparison to 2015 State General Election and other by-elections

Turnout and Informality Rates

In the 2015 NSW State Election there were seven candidates for the Wollongong District. The number of electors enrolled was 58,190, the voter turnout figure was 89.1 per cent and the informality rate was 4.1 per cent.

At the November 2016 by-election, there were five candidates and the enrolment figure had increased to 59,640. The turnout and informality rates were 84.97 per cent and 3.2 per cent, respectively. Traditionally, turnout rates tend to be lower in by-elections than general elections and informality rates higher.

The turnout for the Orange By-election was slightly lower than the average for State By-elections over the past five years, (85.7 per cent), and the informality also slightly higher than the average across the same period of 2.9 per cent.

Non-voters and Penalty Notices²

There were 6,723 penalty notices (PNs) issued for the Wollongong By-election (11.27 per cent of those on the electoral roll). This is markedly lower than the Canterbury by-election, but higher than the Orange by-election, both of which took place on the same date.

Table 5: Penalty Notices, Wollongong By-election 12 November 2016 frequency and percentages

By-election	No. on Roll	PNs issued	No. PN as % Roll
Wollongong	59,640	6,723	11.27
Canterbury	57,112	9,512	16.65
Orange	56,242	5,128	9.13

² As noted earlier, a penalty notice is withdrawn if an elector provides a valid excuse for not voting. At the date of this report the enforcement process for failure-to-vote penalty notices for these by-elections had not yet been completed.

This brochure contains important information about the election. It's particularly important to remember:

- Polling places will be open from 8am to 6pm on Saturday, 12 November 2016;
- Voting is compulsory for all enrolled electors in the electoral district of Wollongong; and
- The penalty for not voting at the by-election is \$55.

Do I need to vote?

You have received this brochure because you are enrolled in the Legislative Assembly District of Wollongong. Voting is compulsory for all enrolled electors.

Who do I vote for?

You will vote to elect a candidate to represent the electorate of Wollongong in the NSW Legislative Assembly. The full list of candidates is available at www.elections.nsw.gov.au or by calling us.

Where can I vote?

On election day you can vote at the polling places listed in this brochure. Visit the NSWEC website for more details.

Making political donations to a candidate or political party.

Did you know that if you make a political donation to a candidate or political party of \$1,000 or more you must report it to the NSW Electoral Commission at the end of the financial year? For more information visit www.elections.nsw.gov.au/wollongong/donors

What if I can't get to a polling place on election day?
If you can't vote on election day you may be eligible to vote early.

Pre-poll voting.

Pre-poll voting is available at the following locations:

Venue	Address	Opening times
Wollongong Returning Officers' Office	263 Keira Street, Wollongong NSW 2500	31 Oct 2016 - 11 Nov 2016 Mon - Fri: 8:00am - 6:00pm Thu (10 Nov): 8:00am - 8:00pm Sat: 9:00am - 5:00pm Closed on Sun
Sydney Pre-poll	Level 25, 201 Kent Street, Sydney NSW 2000	31 Oct 2016 - 11 Nov 2016 Mon - Fri: 9:00am - 5:00pm Closed on Sat, Sun

Vote via internet or telephone

People who are blind, vision impaired or who have another disability, live more than 20kms from the nearest polling place, or who will be outside NSW on election day, can apply to use the iVote® system to vote via the internet or the telephone.

To register visit Vote.nsw.gov.au or call 1300 2 Note (1300 24 86 83) or from outside Australia call +612 9290 5287. Registrations close at 1pm EDT on Saturday, 12 November 2016.

Vote by post

Postal voting is also available for eligible voters. Application forms are available from www.elections.nsw.gov.au or by contacting the returning officer.

Applications must be received by the returning officer by 6:00pm Wednesday, 9 November 2016 if sent within Australia, or 6:00pm Monday, 7 November 2016 if sent from overseas.

Electors who are general postal voters will automatically be sent their ballot papers without further application.

Can I get assistance in any other language?

For assistance in a language other than English please call 13 14 50.

العربية	Italiano	Bahasa Indonesia	Polish
العربية	日本語	Tiếng Việt	한국어
Tagalog	Русский	Türkçe	Հայերեն
中文	Português	Македонски	Հայերեն
हिंदी	Српски	فارسی	Español
English	Српски	ދިވެހި	bil-Malti

For more information:
www.elections.nsw.gov.au or call 1300 135 736.

For hearing and speech impaired enquiries, call us via the National Relay Service on 13 36 77.



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Appendices

Appendix A: Elector Brochure

Here's where to vote on election day*

Legislative Assembly By-election
Saturday, 12 November 2016

Bring this brochure with you on election day. It will make voting easier.

Locality	Venue and Address	Access
Berkeley	Berkeley Community Centre - Winnings Way	4, 5
Berkeley	Berkeley Public School - George Street	4, 5
Berkeley	Berkeley West Public School - 43 Nolan Street	3, 4, 5
Conston	Conston Public School - 123 Auburn Street	1, 2, 3, 4, 5
Cordaux Heights	Unanderra Public School - 49 Dermong Drive	4
Cringila	Cringila Community Hall - 32 - 40 Lake Avenue	4, 5
Fairy Meadow	Fairy Meadow Demonstration School - Balgownie Road	2, 3, 4, 5
Fairy Meadow	Towradgi Public School - Carters Lane	+
Figtree	Figtree High School - Gibsons Road	4, 5
Gwynnesville	Gwynnesville Public School - 10a Acacia Avenue	4, 5
Lake Heights	Lake Heights Public School - 302 Northcote Drive	4, 5
Mount Kembla	Mount Kembla Public School - Cordiaux Road	+
Mount St Thomas	Mount St Thomas Public School - Ironoga Avenue	4, 5
Port Kembla	Port Kembla Public School - 18 Gloucester Bvd	5
Port Kembla	Port Kembla Senior Citizens Centre - Allan Street	4
Primbae	Primbae Public School - Illowra Crescent	2, 3, 4, 5
Unanderra	Fairborough Road Public School - Fairborough Road	+
Unanderra	St Pius X School Hall Unanderra - Cummins Street	2, 4, 5
Warrarong	Warrarong Community Hall - Greene Street	4
Warrarong	Warrarong Public School - Cowper Street	+
West Wollongong	St Therese School Hall West Wollongong - Powell Street	1, 5
Windang	Windang Senior Citizens Centre - 50 Kurrajong Street	4, 5
Wollongong	Smiths Hill High School - The Citadel, Campbell Street	1, 3, 4, 5
Wollongong	DFES NSW Illawarra Institute Wollongong West	4
Wollongong	Charles St Johns	
Wollongong	Wollongong Hospital - Level 8 Auditorium Block C - Crown Street	4, 5
Wollongong	Wollongong Town Hall - 93 Crown Street	4, 5

Legend **Assisted Access**

+	Does not meet accessibility requirements
1	Access ramp does not meet standards
2	Building has lips and/or steps
3	No accessible toilet
4	No designated accessible parking spot
5	Path of travel from car park may be difficult
	Full Wheelchair Access

*Information correct as at 20 October 2016.



Your guide to voting in

Wollongong

YOUR STATE.
YOUR LIFE.
YOUR VOTE.



www.electoral.nsw.gov.au

Appendix B: Wollongong By-election 12 November 2016 Polling Places

Pre-poll venues

Venue	Address	Suburb/Town
Sydney Pre-poll	Level 25, 201 Kent Street	Sydney
Wollongong Returning Officers' Office	263 Keira Street	Wollongong

Declared Institutions

Venue	Address	Suburb/Town
Coniston Nursing Home	91 Bridge Street	Coniston
Farmborough Aged Care Centre	91 Waples Road	Unanderra
Illawarra Multicultural Village Hostel	1 Eyre Place	Warrawong
IRT Diment Towers	39-45 Staff Street	Wollongong
IRT Five Islands Court	25 Quarry Street	Port Kembla
IRT Link Sea Side Nursing Home	1 Ross St	Wollongong
Marco Polo Unanderra Care Services	70 Waples Road	Unanderra
Port Kembla Hospital	89-91 Cowper Street	Warrawong
Presbyterian Aged Care	42 Bourke Street	Wollongong
St Marys Retirement Village	211 Northcliff Drive	Berkeley
Villa Maria Centre	15A Blackman Parade	Unanderra

Voting venues

Venue	Address	Suburb/Town
Berkeley Community Centre	Winnima Way	Berkeley
Berkeley Public School	George Street	Berkeley
Berkeley West Public School	43 Nolan Street	Berkeley
Coniston Nursing Home (DI)	91 Bridge Street	Coniston
Coniston Public School	123 Auburn Street	Coniston
Cringila Community Hall	32 - 40 Lake Avenue	Cringila
Fairy Meadow Demonstration School	Balgownie Road	Fairy Meadow
Farmborough Aged Care Centre (DI)	91 Waples Road	Unanderra
Farmborough Road Public School	Farmborough Road	Unanderra
Figtree High School	Gibsons Road	Figtree
Gwynneville Public School	10a Acacia Avenue	Gwynneville
Illawarra Multicultural Village Hostel (DI)	1 Eyre Place	Warrawong
IRT Diment Towers (DI)	39-45 Staff Street	Wollongong
IRT Five Islands Court (DI)	25 Quarry Street	Port Kembla
IRT Link Sea Side Nursing Home (DI)	1 Ross St	Wollongong
Lake Heights Public School	302 Northcliffe Drive	Lake Heights
Marco Polo Unanderra Care Services	70 Waples Road	Unanderra
Mount Kembla Public School	Cordeaux Road	Mount Kembla
Mount St Thomas Public School	Taronga Avenue	Mount St Thomas
Port Kembla Hospital (DI)	89-91 Cowper Street	Warrawong
Port Kembla Public School	18 Gloucester Boulevard	Port Kembla
Port Kembla Senior Citizens Centre	Allan Street	Port Kembla
Primbee Public School	Illowra Crescent	Primbee
Smiths Hill High School	The Hall, Keira Street	Wollongong
Presbyterian Aged Care (DI)	42 Bourke Street	Wollongong
St Marys Retirement Village (DI)	211 Northcliff Drive	Berkeley
St Pius X School Hall	Cummins Street	Unanderra
St Therese School Hall	Powell Street	West Wollongong
Sydney Pre-poll (PP)	Level 25, 201 Kent Street	Sydney
Towradgi Public School	Carters Lane	Fairy Meadow
Unanderra Public School	49 Derribong Drive	Cordeaux Heights
Villa Maria Centre (DI)	15A Blackman Parade	Unanderra
Warrawong Community Hall	Greene Street	Warrawong
Warrawong Public School	Cowper Street	Warrawong
Windang Senior Citizens Centre	50 Kurrajong Street	Windang
Wollongong Hospital Level 8 Auditorium Block C	Crown Street	Wollongong
Wollongong Returning Officers' Office (PP)	263 Keira Street	Wollongong
Wollongong Town Hall	93 Crown Street	Wollongong
TAFE NSW Illawarra Institute Wollongong West	Rawlinson Avenue	Wollongong

DI denotes Declared Institution

PP denotes pre-poll voting venue

Appendix C: Wollongong By-election 12 November 2016 Ballot Paper

Ballot Paper
Legislative Assembly Election – Electoral District of
Wollongong
Held on 12 November 2016

DIRECTIONS FOR VOTING
PLEASE READ CAREFULLY

- 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).

CANDIDATES

SCULLY Paul
LABOR


BAXTER Colleen
CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP)

BRADBERRY Gordon
INDEPENDENT

ROSSI Joe
SHOOTERS, FISHERS AND FARMERS

BLAKEY Cath
THE GREENS

You must not take a ballot paper out of the polling place

 electoral
commission nsw

Appendix D: NSWEC Election Service Charter 2014-16

Goal 1 - Foster participation in the democratic process

To be achieved by

- Conducting impartial and fair elections in accordance with the law
- Providing services and information to enable all election participants to participate fully including communities with historically lower participation rates
- Communicating election information in ways that encourage awareness and engagement
- Supporting events and activities that encourage participation in democracy

Success measured by

- Election participants report conduct of election as impartial and fair and without barriers to participation
- Election participation equals or exceeds prior election levels
- Formality rates equal or exceed prior election levels
- There are no Court challenges to declared results

Goal 2 - Provide seamless service delivery

To be achieved by

- Providing comprehensive services including:
 - information services
 - enrolment services
 - voting options including pre-poll and technology enabled voting
 - location and accessibility of polling places
 - services to assist those with particular needs
 - responsibilities and entitlements of candidates, groups and political parties including funding and disclosure requirements
- Providing efficient services to meet needs of participants according to legislative mandate
- Providing election services in timely, efficient and professional manner

Success measured by

- Stakeholders feel well informed about election events
- Election participants report satisfaction with the NSWEC's electoral services

Goal 3 - Be customer focussed and commercially minded

To be achieved by

- Understanding the needs of our stakeholders and users of our election services through liaison, consultation and structured feedback
- Ensuring elections are provided on a competitive basis
- Delivering well organised, reliable and quality elections

Success measured by

- Participants report satisfaction with NSWEC's services and election staff
- Those entities using the NSWEC to conduct elections report satisfaction with services provided and see these are representing value (Note this is not applicable in the case of State Government elections and by-elections, which must be conducted by the NSWEC.)
- Costs of providing elections are recovered (Note this is not applicable in the case of State Government elections and by-elections.)
- The NSWEC actively seeks feedback on its services

Goal 4 - Be innovative and fast adaptors

To be achieved by

- Utilising new technologies to increase convenience for those participating in elections within the legislative mandate while maintaining integrity of the election and security of information
- Review developments in election services and funding and disclosure across Australia and internationally for possible application to NSW

Success measured by

- The NSWEC is seen as seeking to adapt its services, within legislative requirements, to meet participants' needs
- The NSWEC advises Government of innovations that will strengthen the democratic system and improve administration of elections