

A SHORT ELECTORAL HISTORY OF THE SYDNEY CITY COUNCIL 1842-1992

Note to the electronic edition of the text

This document was written by Dr Hilary Golder, and originally published by the Council in 1995. This electronic edition of the *Short Electoral History* at this point has not been updated to reflect changes to the electoral system since then. Two key changes should be mentioned: the move back to direct election of the Lord Mayor (1995) and the allocation of responsibility for local government elections to the State Electoral Commission (1999).

The original published edition of this history contained a set of ten maps showing the changing boundaries of the Council, and the changing boundaries and names of the wards. Subsequently, some inaccuracies in these ward boundaries have been identified. The maps therefore have been omitted from this electronic edition until they can be re-drawn. Pending this, a set of maps showing the changing boundaries of the Sydney City Council formed part of the Council's submission to the recent Sproats Inquiry into inner-city local government boundaries, and can be found at <http://www.cityofsydney.nsw.gov.au/boundaries/>

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A SHORT ELECTORAL HISTORY OF THE SYDNEY CITY COUNCIL 1842-1992

Introduction

Since the City of Sydney was incorporated in 1842, there have been 84 municipal elections. The campaigns and their outcomes have usually been well-covered in the press because of the recognition that these local government elections have a significance which is far more than local.

In the 1840s, for example, the city had a fully-elected Council at a time when the people of New South Wales were only allowed to elect two-thirds of the colonial parliament (the Legislative Council), with the remaining members being nominated by the Governor. Thus, it was to the city elections that commentators looked anxiously, to see how representative institutions might develop and how politics would be conducted in a colony where transportation had only just been abolished.

At the other end of the sesquicentennial time-line aldermen, electors, assorted pundits, business and the state government are currently debating the argument that Sydney's future as a financial, administrative and tourist centre is too important to be left to the locals. In the twentieth century Council elections have, more and more, revolved around the question: what weight should be given to the interests of those who live, those who work and those who invest within the city of Sydney?

Although Council election results have been published and analysed, the returns have not previously been collected in an accessible form. As part of the Council's Sesquicentenary History Project election results have been collated, from press reports and official returns, and deposited in the Council Archives, in a file which is available for consultation by researchers.

The file gives the date and outcome of each election from 1842 to 1991, including the votes cast for each candidate. Because Council elections were increasingly party-political after the First World War, the party affiliation of many, though not all, post-war candidates has been recorded.

The results of the 1991 Council election are reproduced as Appendix 1 to this publication. Appendix 2 lists the Mayors and (from 1902) Lord Mayors of Sydney in 1842-1992. Except for three periods (1850-52, 1953-1967 and 1976-1988) they were not elected directly by the city's voters but annually by members of the Council. Appendix 2 also includes the names of the unelected commissioners who administered Sydney during the years 1854-56, 1928-1930, 1967-69 and 1987-88 when the Councils were sacked.

The following introduction to the city's electoral history is intended to provide necessary background to these voting statistics. Changes in the broad social, economic and political context of municipal election have already been discussed in the major work of the Sesquicentennial History Project: Shirley Fitzgerald, *Sydney, 1842-1992* (Hale and Iremonger, Sydney, 1992), especially chapters 1 and 5. This introduction, therefore, concentrates on electoral mechanics, in themselves highly political issues which often determined the outcome of the contests. These include:

Boundaries

The boundaries of the City of Sydney have been drawn and re-drawn several times, dramatically affecting the number and character of people entitled to vote.

The redrawing of ward boundaries within the city has often lagged behind demographic changes

which left some wards crowded with electors and others depopulated. Because each ward elected the same number of members of the Council (except in the years 1850-53 and 1953-59 and again in 1988), the value of each individual vote could vary dramatically from ward to ward.

Franchise

Although the New South Wales parliament opted for virtual manhood suffrage in 1858, and adult suffrage soon after federation, the right to vote in City Council elections was tied to property until 1941 when every adult resident in the city became entitled to vote.

A property-based franchise can also lead to plural and/or cumulative voting. At different times, large property owners have been entitled to more than one vote within a ward or one vote for every ward in which they held property. In this introduction, the term "plural voting" is used when one person can vote in more than one ward. The term "cumulative voting" is used when one person has more than one vote within a ward.

Voting Systems

At different times, city elections have been run on the first-past-the-post voting system, preferential voting and proportional representation. Use of the two latter systems explains why candidates with relatively small numbers of primary votes have been elected.

CITY BOUNDARIES, WARDS AND THE FRANCHISE IN 1842

On 1 November 1842 the voters of Sydney, some 3,000 of them, elected their first City Council. Although this was not the earliest local election in New South Wales - a distinction which belongs to the 1841 selection of the Parramatta Market Commissioners - it preceded the first elections for the Legislative Council beginning on 1 December.¹ And everyone saw the Sydney contest as far more than a curtain raiser to this general election. After all, the Governor was still going to choose one-third of the parliament but there was no such brake on the electors of the City Council.

The boundaries of their new city were the same as those fixed for the Sydney Police District in 1833. The boundary line followed the southern shores of Port Jackson from the head of Blackwattle Bay as far as the stream which ran into Rushcutters Bay; it then followed the stream inland to the South Head Road (Oxford Street). From there, it traced the boundary of the Sydney Common (Moore Park) until it met a "road extending westward to back of Cleveland House" (Cleveland Street), then ran along that road "to a landmark on the road to Cooks River (City Road). From there the line ran a short way north through swamp land to reach Blackwattle Bay again."²

These city boundaries were fairly generous, covering the existing town of Sydney and allowing for urban growth. They remained stable for the rest of the century, with minor changes in 1870 when the old Sydney Common was annexed to the city under its new name of Moore Park. The western boundary was also clarified. In 1842, Blackwattle Bay and the swamp surrounding it came down almost as far as the Parramatta Road, but nineteenth-century reclamation pushed the head of the Bay further north and the low-lying land behind it was being built over by 1870. The arbitrary line drawn through the mud in 1842 was moved west to include the whole of Blackwattle swamp in the city and Bay Street formed the boundary between Sydney and the suburban municipality of Glebe.³ But the city boundaries fixed in 1842 were not politically manipulated in the nineteenth century.

The city in 1842 was divided into six wards, which were the basic units of the electoral system.

Table 1 CITY OF SYDNEY - WARDS 1842

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| Ward | Area | No. of Electors/ Enrolled in 1842 |
|-----------------------|---------------------------------------------------------|--------------------------------------------|
| Gipps | The Rocks, Millers Point | 534 |
| Brisbane | West Sydney (west of George Street) | 584 |
| Macquarie | Central Sydney (south of King Street) | 622 |
| Bourke | Central Sydney (north of King Street) | 535 |
| Cook | Potts Point, Woolloomooloo, Surry Hills | 243 |
| Phillip | Head of Darling Harbour, Chippendale, Ultimo and Pymont | 684 |
| Total Electors | | 3,202 |

Sources: 6 Vic. No. 3, Schedule B; *Historical Records of Australia, Series 1, Vol. 22, pp. 376-77.*

Who was entitled to vote in the first Council election? The franchise was tied to occupation of property and the payment of rates assessed on that property. The argument was that only the people who paid these city taxes were entitled to decide who would spend them and how. Unless of course the ratepayers were female. So the City of Sydney Incorporation Act of 1842 gave the vote to every adult male who occupied a "house warehouse counting house or shop" in the city with an annual value of £25. Provided that he had lived in the city or within seven miles of its boundaries for at least a year. (The development of suburban municipalities around Sydney was not anticipated in the near future.) Where there was joint occupation, each of the occupiers had a vote provided that the annual value of the property, when divided by the number of electors, was still at least £25. But there was no plural or cumulative voting. The single occupier of property worth £50, for example, did not get two votes. More importantly, section 50 of the Act made it clear that property owners would not get a vote for every ward in which they held property, even if they paid the rates for such property. In general, the Act emphasised occupation rather than ownership as the qualification for this ratepayers' franchise, reflecting the fact that rates were levied on and usually paid by the occupant/tenant.

The rate-payers were at the base of a three-tiered electoral process:

- Voters in each ward were to elect four councillors directly. One councillor from each ward had to retire annually which meant that there would be elections annually to keep up the total of 24 councillors.
- Councillors were to elect six aldermen, who could be chosen from their own ranks or from outside the Council. Three of the aldermen had to retire every three years.
- Councillors and aldermen were to elect the Mayor who would hold office for one year.

This property-linked, though not ownership-based franchise was hedged round with extra protections against "undesirables", even if they paid rates. The Incorporation Act specifically excluded aliens or men who had received charity in the last twelve months, although earlier proposals to put special conditions on ex-convicts were dropped.⁴ Still conservative commentators, like the *Sydney Morning Herald*, fretted about the low property qualifications.⁵ Interestingly they did not seem to worry so much about the fact that a man occupying a house with an annual value of only £20 could vote for the Legislative Council. This was partly because

the preponderance of rural constituencies reassured them that that Council would be "safely" made up of large landholders. As property values were much lower in the country than in Sydney, a £20 qualification would exclude a great number of possible voters. Even in the depression of the 1840s, however, conservatives feared that a £25 qualification would allow Sydney workers to vote and, because they heavily outnumbered employers, to dominate the municipal elections. Although there was no secret ballot at this time, the city worker seemed less likely than the rural tenant to vote as he was told by his "natural superiors". To the *Herald*, Sydney was a combustible community, a place where democracy might break out. It is this fear which explains the intense interest in the first election as well as the electoral manoeuvrings over the next several decades.

THE ELECTION OF 1842

Forty-nine men came forward as candidates in the first Council election and there was much anxiety about their calibre and the relatively low property qualifications for membership of the Council. (A man owning property worth at least £1,000 or with an annual value of £50 could become a councillor, alderman or even the Mayor.)

The press, therefore, lectured voters about the significance of their choice; if they elected men of character, education and especially property they could demonstrate to the Colonial Office in London that New South Wales was a "community of honest, virtuous and enlightened Britons".⁶

They might actually set the colony on the road to self-government. On the other hand, the *Herald* hinted, some of the candidates had shady origins and a few "were not competent to write a letter".⁷ Perhaps this was a dig at candidates like George Hill, the prosperous publican and carcass butcher who never had much time for education and was running cattle for his butcher father by the age of ten?⁸

The election of 1 November went off without trouble. The virtuous Britons of Sydney turned the event into a party but, although there were thousands of people on the streets, there were only a few "boyish sprees" and some objections to candidates in Gipps ward wearing green ribbons to snare the Catholic vote. And in the absence of a secret ballot, at least one woman was determined to vote by proxy. In Brisbane ward, a fight broke out between "a woman and her husband, the former insisting that he should vote for anybody but Johnny Little, while the latter vociferously declared that he had come up for the express purpose of giving Johnny a plumper."⁹ Little, the landlord of the White Hart in Clarence Street, was duly elected, one of three publicans on the first City Council.

The *Herald* was horrified, congratulating the voters on their behaviour but not their choices. Members of the colonial establishment did badly with Alexander McLeay, the former Colonial Secretary, winning only 82 votes and coming bottom of the poll in Cook ward. Only one of the new councillors, the ex-soldier and landowner J. R. Holden, put an Esquire after his name. As Fitzgerald has emphasised, the voters rationally chose to put their roads, sewers and water supply in the hands of merchants, warehousemen, builders and butchers - men who were running businesses and generating employment in the city.¹⁰ Governor Gipps reported cautiously to London that the councillors are "generally reputed to be good men of business, though the greater part of them had previously taken no prominent part in public affairs".¹¹

FRANCHISE CHANGES OF 1844 AND 1850

Inevitably, the 1840s depression caught up with some of these men of business, notably the first Mayor of Sydney, John Hosking, who went bankrupt and had to retire from the Council in 1843.¹² Just as inevitably critics seized on his bankruptcy as a metaphor for the state of the Council, sniping at everything from the "low tone" of its meetings to the lack of progress on water and sewerage.¹³ By the end of the 1840s the chronically under-funded City Council was

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struggling to maintain and improve Sydney's water supply while the Legislative Council began to debate its reform or abolition. The Council was eventually sacked in 1853 when unelected City Commissioners were installed.

Changes in the city franchise have to be seen against this background. In 1844, the Sydney City Incorporation Act Amendment Act lowered the property qualification for voting to £20, presumably to compensate for the fall in Sydney property values in the depression. This qualification was maintained when the Sydney Corporation Regulation Act was passed in 1850, although that legislation did reduce the residence qualification from twelve to six months. But these were grudging concessions not democratic victories, especially when we remember that from 1850, a man occupying property with an annual value of only £10 could vote for the Legislative Council.¹⁴ Clearly Sydney was still seen as a dangerous area where people had to be put into a kind of electoral quarantine. And as a result, a significant number of residents were disenfranchised. According to the 1851 Census there were 11,954 adult males in the City of Sydney, but the *Herald* reported that there were only 2,527 electors on the roll.¹⁵ There were Council resolutions and citizens' petitions calling for a £10 franchise, but there was a hardly a democratic groundswell in Sydney at this time when barely half of those who could vote turned out to do so.

The real innovation in the 1850 Act was the section providing for the direct and city-wide election of councillors, aldermen and the Mayor. At first sight this looks like a democratic initiative, yet it was welcomed by many conservatives. In part it was a recognition of population growth and movement since 1842 which meant that Phillip and Cook Wards had significantly more electors than the others. Short of creating new wards, city-wide elections were the way to ensure those electors' votes were not devalued. The *Herald* also argued that the old three-tiered system lent itself to cliques and corruption at ward level:

"By extending the base of the constituency, you increase the stability of the superstructure. It will require greater talent, higher standing and more sterling qualities to be chosen by the city than to be selected by the ward."¹⁶

Hardly a vote of confidence in previous mayors and the embattled Council.

This was not an encouraging climate in which to start the experiment of direct mayoral elections and, unfortunately, the result of the 16 December 1850 was distorted by a technicality. George Hill, the serving Mayor, was elected by a large margin to serve again for 1851 but was then disqualified for acting as a returning officer in his own election. So William Thurlow, with a mere 229 votes, was the winner.¹⁷ After this mayoral and other municipal elections limped along with voter apathy reflecting but also encouraging the Legislative Council's eagerness to abolish the City Council. The legislature was itself a "lame duck" body, waiting for its own dissolution while London and Sydney negotiated a new constitution (1855), which would give New South Wales a bi-cameral parliament with a fully-elected lower house. The sacking of the City Council at the end of 1853 was one of the few decisive political acts in this limbo period. The city was to be run by a trio of unelected commissioners.

Table 2 STRUCTURE OF SYDNEY CITY COUNCIL, 1842-1992

| | Number of Wards | Aldermen per Ward | Total Number of Aldermen | Term of Office | Lord Mayor | Name of Wards | Notes |
|---------|-----------------|-----------------------------|------------------------------|----------------------------|--------------------|---------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1842-50 | 6 | 4 councillors 1 alderman | 24 councillors 6 aldermen | 4 years (c) 6 years (a) | Elected by Council | Gipps; Bourke; Brisbane; Macquarie; Cook; Phillip | ¼ Councillors retire each year ½ Aldermen retire every 3 years Annual elections for part of the |

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| | | | | | | | Council |
|-----------|-------------------------------------|-----------------------------|----|----------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 1850-53 | 0 | 0 | 30 | " | Elected directly by city voters from councillors and aldermen | | " |
| 1854-56 | City run by unelected commissioners | | | | | | |
| 1857-79 | 8 | 2 | 16 | 2 years | Elected by Council | As above, plus Fitzroy and Denison | ½ Aldermen retire each year Annual elections |
| 1879-1900 | 8 | 3 | 24 | 3 years | ' | Gipps; Lang; Pyrmont | _ Aldermen retire each year Annual Elections |
| 1900-09 | 12 | 2 | 24 | 2 years* | ' | Gipps; Lang; Pyrmont; Denison; Phillip; Bourke; Macquarie; Belmont; Cook; Fitzroy; Bligh; Flinders | Elections for whole Council * Term extended to 3 years from 1906 |
| 1909-28 | 13 | 2 | 26 | 3 years | " | as above plus Camperdown | |
| 1928-30 | City run by unelected commissioners | | | | | | |
| 1930-34 | 5 | 3 | 15 | 2 years* | " | Gipps; Phillip; Macquarie; Flinders; Fitzroy | * Effectively a 4 year term. Elections due in 1932 were postponed until 1934. |
| 1934-48 | 5 | 4 | 20 | 3 years | " | as above | |
| 1948-50 | 9 | See number after word names | 30 | 2 years | " | Gipps; Macquarie; Phillip(includes Darlington); Fitzroy; Flinders;; Newtown [4]; Glebe; Paddington; Redfern [2] | |

Table 2 STRUCTURE OF SYDNEY CITY COUNCIL, 1842-1992 (continued)

| | Number of Wards | Aldermen per Ward | Total Number of Aldermen | Term of Office | Lord Mayor | Name of Wards | Notes |
|---------|-----------------|-------------------|--------------------------|----------------|---------------------------------|--------------------------------------------------------------------------------------------------|-------|
| 1950-53 | 10 | 3 | 30 | 3 years | " | Gipps; Macquarie; Phillip; Fitzroy; Flinders; Alexandria; Glebe; Paddington; Redfern; Camperdown | |
| 1953-59 | 0 | 0 | 20 + 1 | 3 years | Elected directly by city voters | | |

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| | | | | | | | |
|---------|-------------------------------------|--------------------------------|--------|----------|---------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------|
| | | | | | in addition to aldermen | | |
| 1959-67 | 4 | 5 | 20 | 3 years | " | Gipps; Phillip; Fitzroy; Northcott | |
| 1967-69 | City | run by unelected commissioners | | | | | |
| 1969-76 | 5 | 4 | 20 | 3 years* | Elected by the Council | Gipps; Phillip; Fitzroy; Macquarie; Flinders | * 1969-71 2 year term. After this 3 years. |
| 1976-81 | 5 | 3 | 15 + 1 | 3 years | Elected directly by city voters in addition to aldermen | As above [boundary alterations] | |
| 1982-87 | 9 | 3 | 27 + 1 | 3 years | " | Gipps; Phillip; Fitzroy; Flinders; Macquarie, Newtown; Alexandria; Redfern; Waterloo. | |
| 1987-88 | City run by unelected commissioners | | | | | | |
| 1988- | 0 | 0 | 7 | 3 years | Elected by Council | | |

FRANCHISE AND WARD CHANGES IN 1857

Almost as soon as the new parliament was opened in May 1856, the restoration of the City Council was put on the agenda of the lower house, the Legislative Assembly. However, implementation was delayed by the quick turnover of governments in 1856-57 and by a certain amount of haggling with the unelected upper house, the Legislative Council. But in March 1857 the Sydney Corporation Act of 1857 was duly proclaimed, not only reviving the Council but reorganising it.

Some of the changes were uncontroversial. The two outer wards of Phillip and Cook were divided to provide two new wards:

- Fitzroy - east of Crown Street to the city boundary.
- Denison - Pyrmont and Ultimo.

By improving the balance between the number of electors in each ward, the Act could then restore the ward as the basic building block of the electoral system. Parliament rejected the city-wide election of aldermen and mayors, did away with the category of councillor and trimmed the size of the Council to 16. From now on each ward would simply elect two aldermen, who would choose the Mayor from their own ranks. There was still some support for the direct election of the Mayor and the proposal would come up several times in the second half of the century. But the city-wide election of aldermen and mayors went out of fashion as wards increasingly had their own identities and loyalties. In particular the social distinction between the eastern wards (Macquarie, Bourke, Cook and Fitzroy) and the western ones (Gipps, Brisbane, Denison and Phillip) was already marked by 1870.¹⁸ For example, the well-heeled ratepayers in the "central business district" of Bourke ward wanted to be sure of getting two men of substance onto the Council. They did not want to be swamped by mere numbers in a general poll.

Other electoral changes were contentious and there were some unexpected twists in the debate over the 1857 Act. The secret ballot was introduced for the first time in New South Wales and while some members of the Legislative Council objected to this "radical" invention, others claimed it would actually have a "conservative tendency". They argued that, although the ballot was usually seen as a device to prevent "the tyranny of the higher over the lower classes", in Sydney it might prevent "the tyranny of the working classes over each other".¹⁹ This argument was related to the fact that the Act also enfranchised more voters, so it was expected that municipal politics would become more volatile.

In fact the franchise changes in the 1857 Act were not unambiguously democratic. In its eagerness to dispose of the City Commissioners and get a new Council elected, parliament cobbled together a rather confusing compromise. At first Premier Henry Parker proposed that everyone within the city limits who was entitled to vote for the Legislative Assembly should be able to vote for the Council. The electoral rolls for the Assembly were available whereas city rolls based on property qualifications took time to draw up. Even before manhood suffrage became the rule for Assembly elections in 1858, this arrangement would have given the municipal vote to many men who were not ratepayers. Such a drift away from ratepaying towards residence as a qualification was unacceptable, not just to the Legislative Council, but to liberal politicians like Henry Parkes, who favoured manhood suffrage for parliamentary elections. Parkes even used his newspaper, the *Empire* to argue that municipal government was just a glorified form of housekeeping and only the people who paid for the amenities should vote.²⁰ Perhaps the parliamentary liberals were wary of setting up a rival democratically-elected body? It was left to the Legislative Councillors to point out that everyone who lived in the city had a legitimate interest in the future of its roads, drainage etc.²¹

Whatever their motives, Parker's opponents rewrote the franchise sections of the Act to give the vote to "all persons named in the Electoral Roll ... and being ratepayers". Section 6 then defined ratepayers as:

"persons who are in fact at the time of claiming to vote assessed for the payment of some City rate no portion whereof shall at that time be an arrear. And every person named in the Electoral roll whose qualification is not stated therein to be that of salary lodging or board and lodging shall *prima facie* be deemed a ratepayer."

This provision significantly increased the size of the city electorate; the Council had to compile its own electoral roll, known as the voters' or citizens' list, and the collectors seemed to have been very generous in 'deeming' people to be ratepayers. By 1874 the Town Clerk was telling a Select Committee on Municipalities that the list:

"very often contains the names of several persons for one premises - the name of the proprietor, the name of the lessee, the name of the sub-lessee, and the tenant. That is to say, there are sometimes four names registered on the voters' list for one particular house."²²

Confusion - and no doubt some petty corruption - reigned because the 1857 Act had eroded the principle that the occupier was the ratepayer and thus entitled to the vote. While some critics worried that the collectors were allowing non-ratepaying riff-raff to creep onto the list, the real significance of the legislation was that it began to change the meaning of the term 'ratepayer'. The Act had also introduced plural voting to city elections, providing that a ratepayer could vote once in every ward where he held property. In this context ratepayer had to mean owner. During the 1860s and 1870s the occupier and the owner jostled each other on the voters' list; they might both claim a vote successfully, but there was pressure for a new franchise which would give the owner an overriding claim to be "deemed" as the ratepayer.

THE SYDNEY CORPORATION ACT OF 1879

This pressure to restrict the franchise came from the Council itself, as the Town Clerk convinced the aldermen that the voters' lists should only include people who could produce a City Treasurer's rates receipt. He also suggested that cumulative voting should be introduced, giving ratepayers extra votes according to the value of their property.²³ When a new Sydney Corporation Act was passed in 1879, primarily to reorganise Council finances, these franchise provisions were included.

Once again the Council was in debt because of the basic mismatch between its responsibilities and its revenue base, but this time parliament and the press were not baying for abolition. This fact and the aldermen's willingness to disenfranchise their own electors show how the perceptions and character of the Council had changed since the 1840s. Then, the election of city businessmen instead of the Alexander McLeays seemed like a radical act. By the late 1870s the building contractors and landlords who stood for Council and won year after year were entrenching themselves as an aldermanic elite, who passed the prize of the mayoralty among themselves. The first draft of the 1879 Act had provided for direct mayoral elections again but the Mayor and the aldermen actually petitioned against it.²⁴ These were not the kind of men to cause the *Herald* too much anxiety.

Sydney's voters had also proved surprisingly docile, or perhaps they were just cynical. Certainly as the 1878 election showed, they were not ready to upset what was fast becoming the status quo. The election had some of the trappings of a lively contest and on 3 December about 4,000 people attended the declaration of the poll, to cheer or hiss the candidates. But this was just good theatre; the turnout for the actual election was dismal. In two wards retiring aldermen were returned unopposed, while in the six remaining wards only 5,653 men voted although 14,500 were eligible.²⁵ In a few wards the voters showed signs of life. In Fitzroy they elected the maverick MLA, John McElhone, who as a backbencher was always on the lookout for waste and corruption in the public service and promised to do the same in the Council. (A few years later, he would attack the foundations of the new Town Hall with his penknife and claim the credit for discovering that the contractor had skimmed on the job.²⁶) In Phillip ward, the voters returned Daniel O'Connor who had only been elected to the Council two years earlier on a promise to clean up municipal corruption. Finally in Cook ward, there was a very narrow victory to the challenger, George Withers, who had only stood to prove the point that "aldermanic honours should not be for life". This was apparently an unusual point of view because in most wards the voters simply re-elected the retiring alderman.²⁷

Clearly democracy had not broken out despite the widening of the franchise under the 1857 Act. And the argument that the voters' list was crowded with extra voters and non-ratepayers was probably exaggerated. In 1878 parliament was told that there were 17,495 electors in Sydney's eight wards and in the same year, the Council estimated that there were 17,657 rateable houses in the city.²⁸ If the collectors were putting more than one name per house onto the voters' list, then they were not checking all the rateable properties, not keeping up with the growth of Sydney. (There were always dark hints that collectors did not actually go round from house to house, but lurked in neighbourhood pubs and made up their lists there.)

As far as the Town Clerk was concerned the "pro-active" method of sending collectors out to compile the lists took too much time and money. It would be more economically rational to put the onus onto the would-be voter to come into the Council's offices with his rates receipt. Only the receipt holder would get the vote. But this was more than a straightforward economy measure. When the Town Clerk's proposals were adopted in 1879, most of those who supported the new Sydney Corporation Act admitted it would disenfranchise people, specifically tenants. Some supporters did try to argue that the legislation was neutral; the tenant simply had to pay the rate to get the vote. After all it had always been accepted that the tenant

was the ratepayer and rate notices were served on tenants. But the 1879 Act included a new section empowering the Council to recover the rate from the owner if the occupier did not pay. Again this looked innocuous enough but critics predicted that owners would force tenants to "default". They would then pay the rates, get the receipt and pass the costs on as increased rent. The minister in charge of the bill was well aware that landlords would insist on paying to get the vote, especially with the added bait of cumulative voting.²⁹ From 1879 property with an annual value of £25-75 carried two votes, property valued at up to £150 carried three votes and an annual value of at least £150 meant four votes.

In short the definition of the ratepayer-voter had shifted decisively since the 1840s when it was accepted that the ratepayer was the occupant. The 1857 Act ushered in a confused period when occupiers and owners could claim the vote in respect of the same property. Now the tidy and time-saving solution of the 1879 Act allowed the owner to shoulder the occupant aside. To justify disenfranchisement and cumulative voting members of parliament argued that the city of Sydney was not a polity but a business. According to one MLA:

"voting should be conducted in the same manner as in a public company. The company issues a certain number of shares, and the shareholders vote according to the number of shares they hold. It was the same in the city of Sydney; property holders were the holders of the stock, and why should they not vote according to their stock, the same as they did in an insurance company or a bank?"³⁰

THE SYDNEY CORPORATION AMENDMENT ACT, 1887

The extent of the disenfranchisement was dramatic. By 1887 there were only about 2,700 municipal electors in Sydney, holding between them 7,946 votes. According to Daniel O'Connor, alderman and MLA, the franchise was even more restricted in practice. The 1879 Act provided that no citizen was entitled to more than four votes in each ward. But large landlords paid the rates on all their properties and paid them, not in the names of their real tenants, but dummy tenants who were then registered as electors. O'Connor argued that a mere 700 men could control municipal elections.³¹ Sydney was a veritable rotten borough.

In this context elections were quite farcical and the Council became even more of a cosy closed shop. As such it did not put forward a strong defence against the transfer of responsibility for Sydney's water and sewerage to the new Board of Water Supply and Sewerage in 1888-89. (Control over public vehicles had been lost in 1873.) And the Council seemed unwilling to use what powers it did retain. As Fitzgerald points out, a Council made up of landlords and largely elected by landlords was increasingly reluctant to attempt the demolition of substandard housing under the City of Sydney Improvement Act.³² Then there were the persistent niggling allegations about contracts given to aldermen's cronies and frauds being practised on the Council, especially during the building of the opulent Town Hall.

The shrewder aldermen, such as the building contractor J. D. Young, soon realised that the corruption of the franchise was making the Town Hall look too much like Tammany Hall. The electoral foundations of the Council in the 1880s were just too shaky. Young encouraged the tenacious O'Connor as he pushed five amending bills through the Legislative Assembly only to have them die in the Legislative Council.³³ Finally his Sydney Corporation Act Amendment Act was passed in 1887 and it provided that the voters' lists must include:

every person (whether male or female) who shall, at the time of making out the said lists, be of the full age of twenty-one years, and who shall then be, and for the immediately preceding six months shall have been, the tenant of premises in that ward of the said City for which any such list is made out, and shall also comprise the names of all such owners whether males or females of premises within every such ward.

O'Connor's reform did not abolish cumulative voting. Ratepayers (i.e. property owners) who produced their receipts at the Town Hall would still get extra votes according to the value of their property. But the 1887 Act added a new layer of tenant electors, who got one vote each. This still left a large number of Sydneysiders, notably lodgers, outside the electoral system. But O'Connor had at least rescued female ratepayers from limbo. The 1879 Act had failed to specify that ratepayers must be male; this was presumably a drafting error not closet feminism. But some women had produced their receipts in 1879 and were put on the voters' list for the next election, so the Council quickly commissioned an opinion from Frederick Darley which disqualified women on a technicality. The special property qualifications for candidates had been dropped and under the 1879 Act every elector was eligible to be elected as mayor. As women could not stand for election, Darley argued, they could not vote.³⁴ However, in 1887 O'Connor spelt out the rights of the female ratepayer unambiguously and women once again appeared on the voters' lists.

After all this effort, O'Connor's Act did not bring in a brave new electoral world. The size of the city's electorate did change abruptly and 21,606 people were entitled to vote in the 1888 elections.³⁵ But the impact of this enfranchisement was blunted by the continuation of cumulative voting (See Table 3). As a relatively small group of property owners could still mobilise a large number of votes, candidates found it much easier to woo the landlords rather than tramp round canvassing the single voters. The tenants were well aware of this and turnout remained low in municipal elections, even in 1888. At least in this first "O'Connor" election, every ward was contested and the *Herald* remarked that there was "much party antagonism". This is slightly misleading to modern readers used to party machines and platforms. In nineteenth-century city elections the antagonism was generated by personalities and patronage not policies. For example, in 1888 Alderman Evan Jones claimed he was being opposed in Denison ward just because "he didn't vote in favour of a certain gentleman's election for the office of mayor last year".³⁶ Who voted for who in the annual mayoral election was often the only real point of difference between aldermen who were generally laissez-faire and pro-landlord. In 1888 there was one reasonably significant issue, that of the recent retrenchments which Mayor John Harris had ordered at the Council. But even this became personalised as a simple pro or anti-Harris question.

Table 3 VOTERS AND VOTES, 1888

| No. of Votes Available under 1887 Act | Eligible Voters in each Category | Total Votes Available in each Category* |
|---------------------------------------|----------------------------------|-----------------------------------------|
| 1 | 15,454 | 15,454 |
| 2 | 1,883 | 3,766 |
| 3 | 1,627 | 4,881 |
| 4 | 2,742 | 10,968 |
| Totals: | 21,706 | 35,069 |

These are the votes available, not the votes actually cast, in the 1888 election.

Source: *Citizens List, 1888-89, CRS 53/1*

Of course this kind of factionalised personality politics was not unique to the City Council in the nineteenth century. In the colonial parliament, before the issue of free trade versus protectionism developed in the 1880s, there were few ideological differences between members and little in the way of "party" organisation. Premiers learnt to build their parliamentary majorities by attracting followings and negotiating deals with other faction leaders. But leaders in Macquarie

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Street were at least dealing with substantial matters, providing elementary education and infrastructure to a developing colony. And in providing that infrastructure they were not afraid to trespass on Sydney's municipal politics, removing Council functions and delegating them to unelected boards which reported to colonial ministers. City politics looked more and more like a trivial pursuit.

It is this fact, as much as the weight of cumulative voting, which explains why franchise changes alone could not alter the character of municipal elections after 1887. Also voters never had the chance to remake a Council completely, so the annual election of just eight aldermen was devalued. And once again there was a gross disparity between the number of electors in each ward; when the 1888 election was held roughly 6,000 voters crammed into Cook ward but there were just over a thousand in the business district of Bourke ward.³⁷ (This comparison does not take into account the multiple votes attached to premises in either ward.) All of these factors must have discouraged some voters. As the Council's responsibilities were eroded, and then its revenue from rates collapsed in the depression of the 1890s, those voters concluded that the Council would not, or could not, take action on the crucial issues of housing and public health. People, especially people with only one vote, stayed away and the same aldermen were endlessly re-elected by the rest. By the end of the century the aldermanic elite seemed positively ossified when half of the Council had been there for at least 20 years.³⁸

According to one municipal reformer, Dr James Graham MLA, Sydney was a city "where God had done much and man had done little".³⁹ During the 1890s Graham was prominent in the Citizen's Reform League which endorsed candidates to run against the old guard. Graham himself was elected to the Council in 1898 and the Committee managed to get up two more reform aldermen in the following year. Graham's arguments went beyond the usual rhetoric about the need to elect efficient businessmen to rescue city finances from ageing incompetents. He realised that the Council's problems were as much structural as personal and in 1900 he clearly spelt out the powers which had been removed or denied to the City Council by successive colonial governments. As the Council had no control over water, sewerage, traffic, noxious trades etc., local government in Sydney was a sham.⁴⁰

Graham made these remarks during a parliamentary debate on another Sydney Corporation Act Amendment Bill in 1900. As several speakers pointed out, it was the outbreak of bubonic plague in that year which finally galvanised the government into reforming the City Council, especially the way in which the Council was elected. First the city was re-divided into twelve wards. Then cumulative voting was abolished and the municipal franchise was extended to cover male and female:

- Owners of property with a minimum annual value of £5. (Joint owners had only one vote and had to nominate the person who would exercise it.)
- Holders of leases with a minimum annual value of £25. (Joint lessees also had one vote only.)
- Occupiers of a building with a minimum annual value of £10. (Joint tenants were entitled to one vote for each £10 of annual value. Tenants had to establish six months residency/occupation in the ward in which they claimed a vote.)
- Lodgers who have "continuously during the six months (preceding the compilation of the voters' lists) occupied jointly or severally any lodging in the same dwelling house in the same ward, of a clear yearly value of ten pounds upward." (Again, people sharing a lodging were entitled to a vote for each £10 of the annual value of that lodging.)

Although cumulative voting had been abolished, plural voting survived because owners could still vote once in every ward where they met the property qualification. Finally, the Act provided

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that each ward would return two aldermen for a two-year term, which meant that the entire Council would be up for election every two years. The term was extended to three years under another amending Act in 1906, but the fact remained that voters now had the power to pass judgment on their Council. The impact of scandals and disputes could, therefore, be registered at a general election, not dissipated in the annual by-election of a minority of aldermen. These provisions were re-enacted in the Sydney Corporation Act of 1902, which consolidated the principal (1879) Corporation Act with subsequent amendments.

Table 4 CITY OF SYDNEY - ELECTORS, 1900

| Ward | Owners | Leaseholders | Occupiers | Lodgers | Total Electors Enrolled |
|---------------|--------|--------------|-----------|---------|-------------------------|
| Belmore | 547 | 47 | 1,235 | 512 | 2,341 |
| Bligh | 509 | 48 | 1,491 | 992 | 3,040 |
| Bourke | 303 | 468 | 2,132 | 286 | 3,189 |
| Cook | 575 | 29 | 1,194 | 345 | 2,143 |
| Denison | 305 | 162 | 2,215 | 551 | 3,233 |
| Fitzroy | 552 | 60 | 1,376 | 1,084 | 3,072 |
| Flinders | 609 | 95 | 1,473 | 608 | 2,785 |
| Gipps | 324 | 45 | 1,099 | 997 | 2,465 |
| Long | 431 | 227 | 1,481 | 523 | 2,662 |
| Macquarie | 336 | 231 | 1,145 | 424 | 2,136 |
| Phillip | 585 | 64 | 1,502 | 348 | 2,499 |
| Pymont | 131 | 274 | 1,196 | 437 | 2,038 |
| TOTALS | 5,207 | 1,750 | 17,539 | 7,107 | 31,603 |

Source: *Sydney Morning Herald*, 26 November 1900

THE ELECTION OF 1900 AND THE GREATER SYDNEY MOVEMENT

The chance to turn out an entire Council gave real life to the 1900 municipal campaign. Several of the old guard stood down and an alliance of reform groups approved 21 candidates, with at least one in each ward. The Citizens' Municipal Reform League "which chiefly consisted of the merchant class" joined forces with the Citizens' Vigilance Committee, which had been formed during the plague and stayed in existence to promote candidates interested in sanitary reform. Then W. M. (Billy) Hughes, the Labor MLA, organised a Municipal Reform Association. When these three groups amalgamated in 1900 the municipal reform movement became -

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temporarily - a very broad church. The slate of endorsed candidates included the liberal Graham and J. D. Fitzgerald, the once and future Labor man who had been expelled in 1893 but rejoined the party in 1911. There was also a handful of retiring aldermen who accepted the reform platform, supporting policies such as slum clearance, a new Building Act, re-organisation of the Council's Health Department and the erection of a garbage destructor.⁴¹ Turnout in most wards was comparatively healthy as citizens appreciated that this time their vote had some point and, in the absence of cumulative voting, more weight. However, the proportion of electors who actually voted still fell below 50 per cent in 5 of the city's 12 wards.⁴² The *Herald* was patronisingly surprised at the "large number of ladies who came forward" in wards like Cook and Flinders. But most of the attention was focused on the other new voters, the lodgers who could decide the election in certain wards. In Denison, for example, there were 551 lodgers out of 2,233 voters. The lodgers of Denison must have turned out because Sir Matthew Harris, an Independent and former mayor, was defeated. He blamed his downfall on the enfranchisement of the lodgers and the abolition of cumulative voting.⁴³ Overall the new system delivered a small majority for the reform alliance, with 13 of the 21 endorsed candidates being elected.

It was not just the new Council structure and franchise which made this a significant election. Candidates and voters believed that the 1900 Act was the first instalment of change, that the Council's boundaries and powers were going to be extended greatly. The reformers of 1900 were positioning themselves to take control of a Greater Sydney. The city had clearly outgrown the official boundaries set in 1842 and, thanks to population growth and suburban sprawl, the City Council was now ringed by small municipalities. Nineteenth-century reformers had argued that these were either overspending on, or unable to afford, basic services which could be provided more economically by an enlarged City Council. Such a Council might also be able to reclaim some of the functions which the colonial government had removed and assigned to non-elected boards. The Greater Sydney movement was strengthened by the creation of the London County Council in 1888, and by 1900 a new deal for Sydney seemed imminent. There was some tension between the economically "rational" and the democratic arguments for a larger Council and also confusion about the form such a Council should take. Should the city's boundaries simply be extended to take in adjoining municipalities or should all the existing councils keep their identities and certain responsibilities, while delegating functions such as water supply and lighting to a new super-Council?

During the first two decades of twentieth century these issues were investigated by a Select Committee and Royal Commissions while Greater Sydney Bills were actually introduced by Labor governments. But they were lost because Labor insisted that Greater Sydney should elect one Council on a straightforward adult franchise. The conservative Legislative Council would never accept this swamping of the property vote. Because the franchise and boundary issues were tied together in this way, the city of Sydney did not grow, although in 1908 the boundary was extended to take in the municipality of Camperdown. It became the thirteenth ward in the elections of 1909. This amalgamation was seen as part of the move towards a Greater Sydney; Camperdown may have been only a small impoverished municipality but it brought great assets, such as the University of Sydney, into the Council's orbit. It was in this period that the Council also gained control of many of the city's parks from trustees. And although boundary extension stalled after 1908, the City Council was enjoying some increased powers in the years leading up to the First World War. Above all it began providing electricity, not just to city consumers but to the surrounding suburbs. Other new powers, such as the authority to resume land (1905) and to build workers' housing (1912), could only be exercised within the city limits. So even as the mirage of Greater Sydney receded the real powers of the Council increased, and control of the City Council still seemed a real prize.⁴⁴

THE RISE OF PARTY POLITICS IN COUNCIL ELECTIONS

This helps to explain why the reform alliance of 1900 was short-lived. Labor candidates had

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never been comfortable with the arrangement anyway. Making local government not just more powerful but more representative was one of the Labor party's earliest policies, and after the 1900 Act a commitment to an adult franchise for Sydney clearly set Labor apart from the reform aldermen of the "merchant class". Elections were increasingly being fought on policies as well as personalities with a view to controlling the Council's growing budget. Labor was setting the pace in this professionalisation of municipal politics. After the 1909 elections there were six "straitout Labor men" and one sympathiser on the City Council.⁴⁵ At the next election, after victories at both state and federal level in 1910, the Labor party was ready to organise its first fully-fledged municipal campaign. Two of its candidates stood in each of the 13 wards. At first sight it seems this ambitious attempt backfired because only five of the candidates were elected. In working-class Denison, for example, the Labor men were narrowly defeated by two independents, while a single candidate would certainly have been elected. On the other hand Labor won both seats in Gipps and Pyrmont, where a 60 per cent turnout saw former Lord Mayor Sir Allen Taylor pushed into third place.⁴⁶

The *Herald* sighed with relief at Labor's failure to take control of the Council, calling it a "victory for good government". However, in the elections of 1915 eleven Labor aldermen were returned. Belmont and Cook joined Gipps and Pyrmont as strongholds which elected two Labor men, although the party again just failed to elect anyone in Denison. This kind of result strengthened Labor's push for an adult franchise and an end to plural voting. In fact the 1915 results were better for Labor than the simple tally of 15 independents and 11 Labor men suggested, because the independents did not vote as a bloc. For example, when the aldermen came to elect the Lord Mayor, the independents could not agree on a candidate and Sydney eventually got its first Labor Mayor (R. G. Meagher). Thus it was Labor which held the casting vote whenever there was a deadlock in Council.⁴⁷

All this encouraged the anti-Labor forces into some kind of defensive organisation. After 1916, they also hoped to take advantage of the split in Labor ranks over conscription. For the 1918 election, therefore, a Civic Reform Committee endorsed 14 candidates and issued How to Vote Instructions. Against these were 18 Labor men and, perhaps more importantly, 15 other non-Labor candidates. The conservatives' first priority was stop the "wastage" of non-Labor votes. They argued that, under a system which elected the "first-two-past-the-post", vote splitting was far more of a problem for Labor's opponents than for Labor. In 1918, for example, Labor gained 43.6 per cent of the vote to elect 13 of the 26 aldermen. Of course not every non-Labor vote was an anti-Labor vote, but the men who developed the Civic Reform Committee were determined to make conservative votes count, whether by redrawing boundaries or changing the voting system.

A more permanent conservative organisation was set up in 1920 which was first known as the Ratepayers' Association and then as the Citizens' Reform Association. (The name was changed to Civic Reform Association in 1960). The Committee and the Association always disclaimed formal affiliation with conservative parties at state level, but the 1918 contest is generally seen as the first party political election for the City Council.⁴⁸

Control of the Council passed to Reform in 1921 and back to Labor in 1924, when certain breakaway members of the Reform Association stood against its official candidates. The politics of this period were lively, with allegations of inefficiency and corruption being traded. The renegade Reform candidates of 1924 fostered a "cloud of suspicion" about recent Council transactions while Labor aldermen were always being pilloried for misusing ratepayers' funds, to which neither they nor their lodger supporters had really contributed.⁴⁹ Of course these kind of accusations were almost as old as the Council, but they had more bite in the 1920s. In part this was because the opportunities for civic corruption were greater during one of Sydney's periodic booms. Also municipal politics was now dominated by two organised parties, offering not just different policies but different definitions of corruption. Labor argued that it was the legitimate

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function of local government to provide, not just services but jobs, for inner city residents. Reform supporters saw this as an unacceptable trade-off of jobs for votes, which overloaded Sydney's payroll. The Labor Council of 1924-27 was vulnerable to accusations about contracts being let without tenders, although a Royal Commissioner investigating some of the claims pointed out that shonky contracts were neither a Labor invention nor a Labor monopoly. As the 1927 election approached, attention focused on the Council power station being built at Bunnerong and specifically on the bribing of aldermen to secure the contract for a steam raising plant. Labor replied that the conservatives' long term aim was to privatise electricity supply, for the benefit of their own "mates". That met the Labor definition of corruption.⁵⁰

Although the first party political elections were hard-fought, both sides put as much if not more effort into persuading state governments to tinker with the city's electoral machinery. Each could see changes which would give them an in-built advantage. As demolition and rebuilding meant that the number of Sydney electors was declining, Labor continued to argue that every adult resident should have a vote. But in 1921 another franchise bill was thrown out by the Legislative Council, where members must have agreed that inner-city residents would be "natural" Labor voters. The restriction of the city franchise was thrown into relief in 1927 when a Local Government (Amendment) Act virtually granted adult suffrage in other municipalities and shires of New South Wales. By contrast, the Citizens' Reform Association was more interested in changing the method of voting, so before the 1924 election Reform aldermen investigated both preferential and proportional systems. Either of the systems would have required a real change in the number of wards in the city. Preferential voting, for example, would work best in single member constituencies, which meant Sydney might have to double its wards.⁵¹ The state government was not ready for such radical surgery, although the boundaries of the 13 existing wards were redrawn in 1924 to distribute the electors more evenly between them.

Table 5 CITY OF SYDNEY - ELECTORS 1924

| Ward | No. of Electors Enrolled |
|-----------------------|-------------------------------------|
| Belmore | 3,308 |
| Bligh | 3,409 |
| Bourke | 3,406 |
| Camperdown | 3,613 |
| Cook | 3,353 |
| Denison | 3,484 |
| Fitzroy | 3,458 |
| Flinders | 3,566 |
| Gipps | 3,492 |
| Lang | 3,480 |
| Macquarie | 3,298 |
| Phillip | 3,494 |
| Pymont | 3,298 |
| Total Electors | 44,649 |

Source: *Vade Mecum*, 1925, p. 46.

REMAKING THE CITY COUNCIL, 1927 - 1934

The Citizen's Reform Association revelations about the Bunnerong contracts were clearly aimed at Macquarie Street rather than the city's voters. Once the Lang Labor government was defeated at the state elections in 1927, the new Bavin ministry did not wait for those voters to pass judgment; the elections scheduled for December 1927 were cancelled when the City Council was sacked for the second time. Three commissioners - described by Lang as "this Soviet" and a "hole-in-corner triumvirate" - ran Sydney while the government drew up new rules for the election of a restored Council in 1930.⁵² The Sydney Corporation (Amendment) Act of 1929 made significant changes to the city's franchise and its wards. The Act did not give the vote to every adult resident of the city of Sydney; a Labor amendment to this effect was defeated. Thus the vote was still restricted to owners and lessees, occupiers and lodgers who met certain conditions. What the legislation did do was grant the vote to many more non-residents by defining the category "owner" more generously. According to the 1929 Act, the term owner:

In relation to property, includes every person who jointly or severally, whether at law or in equity -

- (a) is entitled to the property for any estate of freehold in possession; or
- (b) is entitled to receive, or is in receipt of, or if the property were let to a tenant would be entitled to receive the rents and profits thereof, whether as beneficial owner, trustee, mortgagee in possession, or otherwise.

Participation in City Council elections was also made easier for non-residents because postal voting was introduced. In addition plural voting was still legal for property owners. The effects of this "piebald" franchise were evident in the rolls prepared for the 1930 election when the 16,036 owner-electors actually outnumbered the 14,506 lodgers.⁵³

The ward system was also revolutionised, with the city's 47,788 voters distributed into 5 wards - Fitzroy, Flinders, Gipps, Macquarie and Phillip. Each ward was to elect three aldermen on the first-past-the-post basis. They were supposed to hold office for two years but the next election was postponed until 1934. Predictably Labor cried "gerrymander", arguing that the reduction in wards and in the total number of aldermen was designed to "bunch" and waste Labor votes.⁵⁴ Although the Citizens' Reform Association did not formally support the five-ward system, most commentators agreed that franchise and ward changes were designed to entrench an anti-Labor majority at Town Hall.

In the 1930 election campaign Labor also had some worries about vote splitting, because of the intervention of left-wing independents, including Communists. One of the Communists was Jean Beaton Thomson, the first woman candidate in a city election, who stood in Flinders ward and got 82 votes. In the end Labor won all six seats in the strongholds of Fitzroy and Phillip, but failed to make any impact in the other three wards, even though it was expected to have some chance in Flinders because of the large number of lodgers in Woolloomooloo. At this stage voting was still voluntary and the Citizens' Reform Association had done a better job at "getting out the vote" in Flinders on a wet polling day. Labor muttered darkly about the "mechanised might" of the party with more cars at its disposal.⁵⁵

However, the conservatives were taking no chances with "mixed" wards like Flinders, and before the next election many of the Woolloomooloo lodgers had been disenfranchised. Inner-city workers were not going to get their chance to pass judgment on the commissioners' huge

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job reduction programme at the Town Hall. In 1934, another Sydney Corporation (Amendment) Act reworked the voting qualifications. The Act identified four classes of electors:

- Ratepayers, who had a freehold interest in property having an annual assessed value of at least £5 or a leasehold interest valued at £25 or more.
- Occupiers of all or part of premises with an assessed annual value, unfurnished, of £26. They also had to prove continuous occupation for at least twelve months prior to May of the year in which the electoral rolls were compiled. (The previous property qualification had been £10 and the residential/occupancy qualification six months.)
- Lodgers, who occupied their lodgings under the same (more stringent) residential and property qualifications as occupiers.
- Ex-service personnel, who had served in the First World War. Their residential qualification was only three months.

Plural voting continued so that ratepayers could vote in every ward where they met the property qualification. The other electors could vote only once.

The impact of all these franchise changes is clear from Table 6; although occupiers still made up the largest category of voters, barely 4,000 lodgers met the new qualifications and were eligible to vote in the 1934 election.

Table 6 CITY OF SYDNEY - ELECTORS, 1934

| Ward | Ratepayers | Occupiers | Lodgers | Returned Services | Total Electors Enrolled |
|---------------|--------------|---------------|--------------|-------------------|-------------------------|
| Fitzroy | 1,645 | 2,801 | 806 | 189 | 5,441 |
| Flinders | 2,179 | 3,383 | 1,514 | 21 | 7,097 |
| Gipps | 1,040 | 6,059 | 195 | 29 | 7,323 |
| Phillip | 1,701 | 4,058 | 1,222 | 67 | 7,048 |
| Macquarie | 1,327 | 5,572 | 451 | 55 | 7,405 |
| TOTALS | 7,892 | 21,873 | 4,188 | 361 | 34,314 |

Source: *Vade Mecum*, 1937, p. 35.

This change in the franchise also affected the value of votes in different wards. Under the 1929 Act, each ward was supposed to contain one-fifth of the city's electorate, although a 10 per cent variation above or below this quota was allowable. The decimation of the lodger vote meant that Fitzroy ward went into the 1934 election with enrolments 26 per cent below the quota. Yet the ward boundaries remained unchanged.

Finally the 1934 legislation changed the voting system. Each ward was now to elect four aldermen for terms of three years using a majority-preferential system. This meant that each voter had to vote for twice as many candidates as seats, plus one. In other words in 1934, they had to vote for nine candidates, numbering them in order of preference. If no candidate had an absolute majority of primary votes, the preferences of the less successful candidates were

distributed until one person achieved a majority. Once that candidate was elected, his or her second preferences, as indicated on his or her primary votes, were distributed 'downwards' and the original process was repeated until a second candidate gained a majority. This complex count went on until the four seats were filled in each of the five wards.⁵⁶ Not surprisingly, the number of informal votes went up sharply in the 1934 Council election; in Fitzroy, nearly 8 per cent of votes cast were wasted and the comparable figure in Flinders was 9 per cent. Overall Reform won 12 seats on the City Council to Labor's eight.

In 1936 an attempt to eliminate lodger-voters altogether was defeated, but even so the changes of 1929-34 delivered the desired electoral results. More importantly they set a precedent for succeeding state governments to manipulate city's boundaries, franchise and voting system to create a "permanent" majority for their own political allies at the Town Hall. As a result the city elections became insignificant; it was the state elections which determined who would run Sydney. In the 1937 municipal election, for example, the *Herald* did not even feel the need to run its usual pro-Reform editorial.⁵⁷

FRANCHISE AND VOTING CHANGES, 1941-1947

The return of a state Labor government in 1941 gave that party its chance to remake the Council. Quite predictably the first priority was to introduce the adult franchise in Sydney and a Local Government (Electoral Provisions) Act was passed quickly, in time for the elections of December 1941. These had been due in 1940 but the whole round of local government elections had been postponed when some councils failed to complete their electoral rolls, pleading wartime overwork. To avoid more complications and delays, the 1941 Act simply stated that any adult who was on the 1941 state electoral roll could vote in the 1941 Sydney City Council election, if the address given on that roll fell within a city ward.

For subsequent elections, the City Council was supposed to prepare its own electoral roll, giving the vote to:

- Owners and ratepaying lessees of rateable property (no value specified).
- Occupiers who were direct tenants of owners/lessees of rateable property with an annual value of at least £5.
- Occupiers who were adults enrolled on the state electoral roll for an address within a city ward.

In other words, the adult franchise did not displace the traditional property-based franchise in Sydney; it added another layer of voters. And, although the 1941 Act ensured that everyone living in the city could vote, it did not put them all on an equal footing. Occupiers could vote only once while ratepayers could still vote in every ward where they met the property qualification. Also non-resident ratepayers continued to vote in Sydney elections.

What the Act did do was bring the number of eligible voters in Sydney to 74,394 and the majority of new voters were assumed to be "natural" Labor supporters. Admittedly many of these Labor votes were "bunched" in wards like Fitzroy and Flinders, because the hurried introduction of the adult franchise increased the disparity between the number of voters enrolled in each of the city's wards. This might have mattered more if the residents of Sydney had paid much attention to their new/restored right to vote. But Labor discovered that the adult franchise alone would not bring in the new Jerusalem; just 22.6 per cent of the city's qualified voters turned out in December 1941 and the Citizens' Reform Association scored another victory.⁵⁸ The *Herald* tried to argue that the electorate had rejected Labor's expensive housing policy, although it is more likely that the mass of new voters were divided between apathy and

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ignorance that the franchise had changed.⁵⁹ The "surprise" Reform Council then dragged its feet on the preparation of proper electoral roll, until in 1944 the state Labor government had to re-enact the emergency provisions of the 1941 legislation and stated that any Sydney resident who was on the current state roll could vote in the 1944 Council election.⁶⁰ Once again, Labor failed to win the expected majority on the City Council. In both of these wartime elections, Labor suffered because of factional wrangling as its vote was split between "official" Labor and "Lang Labor" candidates. However, the real problem was the party's failure to mobilise its constituency, to get out the votes. The 1944 turnout (22.5 per cent) was no improvement on 1941 so in 1947 the state government took the simple but drastic option of introducing compulsory voting in another Local Government (Electoral Provisions) Act.

ENLARGING THE CITY OF SYDNEY, 1948

The state Labor government also took the opportunity to redraw the city boundaries. The irrationality of the existing boundaries and the need for a larger administrative unit had been an article of faith for most alderman for most of the twentieth century but, as we have seen, once the discussion descended from principles to practicalities consensus was harder to achieve. In 1925 the City Council had unanimously voted for union with 20 suburban municipalities, which would have taken the city boundary to the ocean in the east, the harbour in the north and Botany Bay in the south while the western boundary would have stretched to take in Balmain, Leichhardt, Petersham, Marrickville and St Peters. When the Council was sacked two years later, the Bavin government promised that this civic spring-cleaning was part of the preparation of a Greater Sydney plan. Nothing was done although the short-lived Lang Labor government (1930-32) did produce its own Bill, which provided for a two-tier system of local government for Sydney. The existing city would federate with 10 surrounding municipalities and above them there would be a more powerful regional Council, which could regain many of the responsibilities, for water and sewerage etc., which had been lost over the years. This version of Greater Sydney did not survive in the Legislative Council, largely because it also provided for an adult franchise.⁶¹

After the Lang sacking in 1932, the conservatives were entrenched in Macquarie Street for the rest of the decade and the city boundaries remained unchanged. This was because the areas immediately surrounding the city tended to be Labor while the more prosperous eastern municipalities, which might have counterbalanced them, were dubious about joining the city and having to finance its services. Reform aldermen were still arguing that the boundaries must be revised right up until the change of state government in 1941. By 1945, Lord Mayor Alderman Neville Harding was however, telling a Royal Commission that there was no real need to enlarge the city of Sydney.

This Royal Commission on Local Government Boundaries in the County of Cumberland was Labor's attempt to take some of the party-political heat out of the issue. The Commissioners were Justice John S. Clancy, Sydney Haviland (Assistant Under Secretary for Local Government), and Ronald T. Storey (Chief Clerk in Equity). None of them agreed with the Lord Mayor that Sydney should stay as it was, but they proceeded to disagree with each other about the boundaries of an extended city. Initially the state government opted for Haviland's plan which promised to "bring into local government life in the County of Cumberland a virility which ... is now largely lacking".⁶² He proposed to add 38 suburban municipalities and part of Ryde to feeble, emasculated Sydney to create a city with a population of 1,250,000. It would cover 141 square miles and take in the north side of Botany Bay as well as both shores of "Sydney Harbour upon which is based the city's pre-eminence as a great commercial and industrial centre".⁶³

This ambitious plan was whittled away following objections to unification, not just from the north shore and the eastern suburbs, but from outlying southern and western municipalities like

Kogarah and Canterbury. When the government produced a Local Government (Areas) Bill in 1947, it proposed to add just 20 municipalities to the city of Sydney. In fact, the scheme resembled the one endorsed by the City Council in 1925. Since then, however, Labor's opponents had discovered that large authorities were a denial of true local government. Using arguments that must have had resonance in these early days of the Cold War, they argued that the whole scheme reeked of socialistic centralisation.⁶⁴ Unsurprisingly the Bill was referred to a Select Committee in the Legislative Council and the horse trading began. To many people, Greater Sydney had meant enlarged powers as well as an enlarged area for the Council of the City of Sydney. But, as its title suggests, there was nothing of this in the 1947 Bill and consequently the debate degenerated into a tug-of-war over boundaries and votes. Which municipalities should join Sydney - and what was their political complexion? Who would control the Council with the limited responsibilities it still held?

What emerged from the process was a city of eleven square miles as the Local Government (Areas) Act added the following municipalities to the existing area:

- Alexandria
- Darlington
- Erskineville
- Glebe
- Newtown
- Paddington
- Redfern
- Waterloo.

Labor claimed that it was not solely responsible for this outcome, that non-Labor municipalities had argued themselves out of a larger city of Sydney. But the addition of these Labor-held councils meant that the party would now have its "permanent" majority at the Town Hall. At least it would be permanent until the state government changed again.

The Act was passed before the election due on 4 December 1948, although there was no time to consider rational ward boundaries. The number of aldermen increased to an unwieldy 30. The five existing city wards (Fitzroy, Flinders, Gipps, Macquarie and Phillip) were still to elect four aldermen each. The tiny area of Darlington was added to Phillip while the other municipalities were hastily parcelled into four new wards.

Newtown (Alexandria, Erskineville, Newton and Waterloo) - was to elect four aldermen while Glebe, Redfern and Paddington were entitled to two aldermen each.

Voting was compulsory but was made somewhat easier for the 162,422 electors because first-past-the-post voting was restored at the 1948 poll. Roughly 75 per cent of them turned out to give Labor the first of a long line of victories.⁶⁵

WARD AND VOTING CHANGES, 1950-59

When that election was over the Department of Local Government asked the Council to correct the gross disparities between wards by drawing new boundaries. However, the Council was instructed to take into account the unimproved capital value of property in each of the proposed wards as well as its adult population. Consequently the division of the city into ten wards, which was gazetted in April 1950, did not equalise the number of electors in each ward, as Table 7 shows.

Table 7 CITY OF SYDNEY - ELECTORS, 1950

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| Ward | No. of Electors Enrolled |
|-----------------------|--------------------------|
| Alexandria | 15,582 |
| Camperdown | 16,734 |
| Fitzroy | 15,948 |
| Flinders | 15,986 |
| Gipps | 10,647 |
| Glebe | 15,143 |
| Macquarie | 13,976 |
| Paddington | 16,877 |
| Phillip | 13,382 |
| Redfern | 16,580 |
| Total Electors | 150,855 |

Source: Sydney City Council Electoral Office

Unimproved capital values were highest in the inner wards of Gipps, Macquarie and Phillip, so the number of enrolments there was allowed to fall below the "quota" (10 per cent of all enrolments), while the number of potential voters in poorer Redfern and Camperdown exceeded that quota. Each ward now returned three aldermen. This small departure from one-vote one-value, a slight dilution of residential voting power, did nothing to help Citizen's Reform in the 1950 election. The party did not bother to field candidates in eight of the ten wards and Labor won 24 of the Council's 30 seats.

In 1952 Labor achieved another of its traditional objectives by abolishing plural voting (the Local Government (Further Amendment) Act, 1952). One year later the state government produced another Local Government (Amendment) Act, which made radical changes to voting procedures. As far as Sydney was concerned, the Act reduced the number of aldermen from 30 to 20 and they were to be elected on a system of proportional representation. To facilitate this voting change, the city's wards were abolished. Finally the Act provided for the direct election of the Lord Mayor, just one hundred years after the first attempt at popular election had been abandoned.

The Lord Mayor was to be elected on a straightforward preferential system. Voters had to number at least three candidates in order of preference: if one candidate did not gain over 50 per cent of primary votes, the least successful candidate was eliminated and his/her preferences were distributed. This process would continue until one person passed the 50 per cent mark. The choosing of the aldermen would be an even more lengthy business. To elect 20 aldermen, each voter had to number at least 15 names in order of preference. The quota of votes needed to elect one alderman could only be determined, at the count of the votes, on the basis of the number of formal votes cast. The informal vote tended to be high under such a system. When first preferences were counted, certain candidates would meet the quota immediately and have votes to spare. This was bound to happen when organised parties contested this kind of election, putting forward a ticket of 15 candidates and controlling their preferences quite tightly.

In this situation, a proportion of the successful candidate's second preferences were distributed and, in many cases, this would "top up" the votes of the person next in line and bring him or her

up to the quota. Distribution continued until all seats were filled.⁶⁶

Labor argued that this complicated system would save the Reform Association from annihilation because it gave Reform and the minor parties seats to match the number of votes they won. Any party which could muster a quota (which would be less than five per cent of all formal votes cast) would at least gain one seat, whereas these votes would be completely thrown away under a first-past-the-post voting system. Opponents argued that this benevolence was a fraud, that Labor was abolishing wards because its huge in-built majority was fracturing into factionalism. Wards allowed independents or at least independently-minded Labor candidates to build up a local power base. But the selection of a city-wide Labor ticket would be in the hands of the machine, the faceless men "in room 32 of Trades Hall".⁶⁷ Factional enemies would be shut out. The critics also argued that proportional representation favoured the party with the strictest control over preferences. Invariably this was the Labor party.

Labor's democratic protestations were undermined by the fact that the government was pushing through its infamous City of Sydney (Disclosure of Allegations) Act at the time. In November 1953 the city election campaign hotted up with allegations in parliament and the press about bribery and intimidation by Labor aldermen. According to joke of the moment, "even the palms in the Botanic Gardens were starting to itch".⁶⁸ Unwisely, the state government responded with sledgehammer legislation to compel anyone making allegations to produce their evidence or disclose their sources. This "Gag the Press Act" became an international scandal but, not for the first time, the citizens failed to match journalists' concern for civil liberties. They followed their own interests and traditional loyalties; Pat Hills, the Labor candidate for Lord Mayor was elected without going to preferences and Labor elected eleven aldermen to Reform's six. The new system did benefit one minor party but as it was the Communist party, this was little comfort to the conservatives. Two years after Menzies' attempt to ban the party by referendum, the Communists got two seats on the City Council.⁶⁹ In 1953 Labor's electoral juggernaut had slowed down, but this was due as much to its own voting changes as to voter disillusionment. It is also true that Labor began to lose voters in the 1950s as traditional supporters moved out to the suburbs beyond even the limits of the enlarged city. (The decline in the number of electors is clearly shown in Tables 7 and 8).

The abolition of wards proved unpopular with Labor as well as conservative voters and in 1958 the state government authorised the Council to reinstate them without taking a poll of city electors (see Local Government (Amendment) Act, 1958). The Council drew up a redivision into four wards, despite Reform attempts to refer the question to an Electoral Commission.⁷⁰ The division was accepted by the state government and gazetted in time for the 1959 election. Each ward was to elect five aldermen on the proportional representation system. (The Lord Mayor was still elected on a city-wide basis.) Once again the weight given to the high unimproved capital value of property in the centre of Sydney meant that there was a striking disparity between the number of enrolled electors in different wards.

Table 8 CITY OF SYDNEY - ELECTORS 1959

| Ward | No. of Electors Enrolled |
|-------------|-------------------------------------|
| Fitzroy | 33,928 |
| Gipps | 15,860 |
| Northcott | 36,222 |
| Phillip | 33,465 |

| | |
|-----------------------|----------------|
| Total Electors | 119,475 |
|-----------------------|----------------|

Source: Sydney City Council Electoral Office

THE THIRD COUNCIL SACKING, 1967

After this, Labor merely tinkered with the electoral machinery. The Local Government (Amendment) Act, 1961 and the Local Government (Elections) Amendment Act, 1964 tidied up definitions of voting qualifications and the 1964 legislation also streamlined the compilation of electoral rolls. The state opposition did not even object to this reform. Meanwhile City Labor kept to its unwritten contract with the voters, with an increase in jobs and services such as meals-on-wheels, kindergartens and baby health centres. Their opponents in Council just bided their time, waiting for a change of government at state level. The tedium of Council's own elections was broken only by the success of the first female representative in 1965. She was Joan Pilone, a member of Civic Reform.⁷¹

When the Askin coalition government was elected in 1965, cabinet was determined to reshape the boundaries of Sydney and, in doing so, to break Labor's stranglehold on city government. A Boundaries Commission was set up and, having been given very tight guidelines, dutifully reported that the city should revert to its pre-1948 size.⁷² By 1967, the Minister for Local Government, P.H. Morton, was ready to introduce his Local Government (City of Sydney) Boundaries Bill which sacked the existing Council and provided for the appointment of three commissioners to oversee the dismemberment of the city. Morton himself did not play the corruption card to justify the Council's dismissal, although he did point to Labor's extravagant build-up of jobs. He argued that the real problems went back to 1948, when needy residential areas were tacked onto the productive centre of the city and welfare services began to consume its rate revenue. As a result the Council was doing nothing to promote development in the centre; it had failed to move the city markets, was not providing needed infrastructure and was wasting money on projects like the restoration of the Domain Baths.⁷³ And all this at a time when Sydney was at the beginning of one of its periodic property booms. Morton did not actually argue that the removal of Labor from the Council would feed this boom, although there was a perceptible increase in the number of developments approved once the commissioners were installed.⁷⁴ But the government did maintain that the excision of the poorer outer wards would create a favourable business climate; rates would probably fall and the revenue could be used to service the city as "a commercial entity with viable industrial and administrative activities".⁷⁵ Ministers also tried to argue that the wards cut off from the city would be able to maintain the current level of services without massive rate rises. Although this claim was debunked by Council, resident petitions, public meetings and by some cogent debate from the Labor opposition in parliament, the Bill was passed.

Three Commissioners, led by the ex-Liberal leader Vernon H. Treatt, would run a shrunken city until fresh elections were held in 1969, although some powerful constituents would have preferred to see democracy suspended for much longer. The Retail Traders' Association openly doubted that an elected council could provide the right kind of administration for this thriving developing city of Sydney.⁷⁶ The government showed some sympathy for this view when it created the Sydney Cove Redevelopment Authority (SCRA) in 1968; this took control of the future development of the Rocks area out of the hands of the City Council, setting a precedent which was taken up by a Labor government when it set up the Darling Harbour Authority in 1984. People living within the area covered by SCRA could still vote for the Council, but their votes were devalued by that Council's lack of power over planning for Sydney Cove.

BOUNDARY AND VOTING CHANGES, 1967-68

Other voters were simply exiled from the city.

The boundary changes effected in the 1967 Act seemed designed to ensure that the commissioners would hand over to a Civic Reform Council in 1969. For once even the *Sydney Morning Herald* was dubious about a Council sacking and argued that such partisan rearrangements would simply invite Labor to retaliate when it next won a state election.⁷⁷ The following wards were removed from the city of Sydney:

- Part of Paddington (joined to the Municipality of Woollahra)
- Glebe (joined to the Municipality of Leichhardt)
- Part of Newtown (joined to the Municipality of Marrickville)
- Part of Camperdown (joined to the Municipality of Marrickville)
- Part of Newtown; plus Erskineville; Darlingtown; Alexandria; Redfern; and Waterloo (joined together to make up the new Municipality of Northcott which was soon renamed South Sydney)

The five remaining city wards - Gipps, Fitzroy, Flinders, Macquarie and Phillip - would elect four aldermen and the Council would then elect the Lord Mayor. Much of the criticism centred on the creation of Northcott/South Sydney which took thousands of electors off the city's electoral roll. In particular, as Table 9 shows, the government had exported 'resident occupiers' who were generally regarded as Labor voters.

Table 9 CITY OF SYDNEY ELECTORAL ROLL, 1965 AND 1969

| | Owners | Ratepaying Lessees | Non-Residential Occupiers | Resident Occupiers | Total Enrolments |
|-------------|--------|--------------------|---------------------------|--------------------|------------------|
| 1965 | 28,408 | 873 | 6,233 | 64,857 | 100,371 |
| 1969 | 10,049 | 409 | 9,057 | 25,803 | 45,318 |

Source: *Sydney City Council Electoral Office*

When the roll was drawn up for the 1969 election, residents still made up the majority of electors but this simple numerical advantage had been offset by changes to voting procedures. The Local Government (Elections) Amendment Act of 1968 abolished compulsory voting in all local government elections and in the City of Sydney the turnout in 1969 was roughly 48 per cent of the electorate, falling to a catastrophic 30 per cent by 1974.⁷⁸ Many of those who bothered to vote felt their votes were wasted because the 1968 legislation had also abolished proportional representation. Local government returned to the majority-preferential method (see pp 20-21) and the shortcomings of this system were soon apparent in Sydney. One strong candidate could carry an entire ward for his or her party, provided preferences were tightly controlled. In 1969, for example, Joan Pilone got 2,880 of the 5,287 primary votes cast in Fitzroy ward, with the former Lord Mayor John Armstrong polling 2,113 votes. Because Pilone scored over 50 per cent of primary votes, she was elected on the first count and her preferences were distributed downwards to elect the next candidate on the Reform ticket. The preferences were then distributed down again and eventually Civic Reform filled all the seats and the 40 per cent of voters who chose Armstrong got no representation. On the other hand Labor achieved a

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clean sweep in Flinders and Phillip wards.⁷⁹ What the system really did was lock out minor parties and independents, leaving Labor and Reform to juggle whole wards. In 1969 Civic Reform won three of them and so gained a 12-8 majority on the Council.

The critics claimed that voluntary voting and changes to voting procedures were delivering local government to cliques of real estate agents and property developers. In Sydney they also noted that there were twice as many electors in the Labor ward of Phillip as there were in the Reform ward of Gipps. But they tended to gloss over the fact that the Civic Reform was winning wards easily in Sydney because it selected candidates like Leo Port and Andrew Briger, who headed towards the middle ground of municipal politics. As Civic Reform set up the Council's first Planning Department and issued a series of Strategic Plans, which recommended that commercial development should not overrun residential areas, it was harder for Labor to paint the council as the creature of developers. Meanwhile Labor's own vote was declining; in 1974 the party won only three seats on the City Council. Civic Reform even took Flinders ward and in its other stronghold of Phillip, Labor's Number One candidate failed to win 50 per cent of primary votes. In the complicated allocation of preferences which followed, Reform's Jeremy Bingham won one of the seats.

The *Herald* tried to argue that the collapse of Labor's vote was a backlash against the Whitlam federal government, but Labor's troubles in the 1970s should really be related to the changing composition of the city's population.⁸⁰ Gentrification and the rise of local action groups meant that residents could no longer be regarded as 'natural' Labor voters in City Council elections. Local resident action groups emerged, with concerns not traditionally considered central to Labor interests. Within the party itself demographic changes were also intensifying Left-Right factional battles over inner city branches. Although Labor won the 1976 state election and remained in power for the next twelve years, the party discovered that the usual expedients of boundary and voting changes were not enough to contain its own factional conflicts, cope with a volatile electorate and cement a Labor regime at the Town Hall.

THE LOCAL GOVERNMENT (ELECTIONS) ACT, 1976

Almost as soon as the Wran Labor government was elected parliament passed the Local Government (Elections) Amendment Act of 1976 which restored:

- compulsory voting
- popular election of the Lord Mayor
- proportional representation

The new government also re-drew ward boundaries, overriding the objections of the City Council to reduce the disparities between Reform wards (like Gipps and Macquarie) and Labor wards (such as Flinders and Phillip). Each of these five wards was to elect three aldermen each.

Table 10 CITY OF SYDNEY - ELECTORS, 1977

| Ward | No. of Electors Enrolled |
|-----------|--------------------------|
| Fitzroy | 9,242 |
| Flinders | 8,860 |
| Gipps | 7,078 |
| Macquarie | 6,360 |
| Phillip | 8,466 |

| | |
|-----------------------|---------------|
| Total Electors | 40,006 |
|-----------------------|---------------|

Source: Sydney City Council Electoral Office

The changes did not guarantee a Labor victory in the election of 1977, although the result was close with Civic Reform winning eight seats to Labor's seven. And in the direct election for Lord Mayor, Leo Port easily beat Labor's D.W. (Doug) Sutherland, confirming that Civic Reform was attracting resident as well as commercial support for its initiatives in 'greening' the city and creating pedestrian oases like Martin Place.

Before the next City Council election, however, the state government had knocked away one of Civic Reform's traditional electoral supports, by disenfranchising many business voters. Under the Local Government (Amendment) Act of 1980, the right to vote was restricted to:

- An owner of rateable property in a ward or riding (one vote per owner per Council)
- A resident in a ward or riding.

'Ratepaying lessees and 'non-resident occupiers' would no longer command a vote. Although this legislation applied across the state, it had its main impact in the City of Sydney where about 9,000 voters were removed from the roll.⁸¹ They were the lessees/tenants of shops, factories and above all of the office buildings which now dominated the skyline of central Sydney. In Gipps ward alone roughly 6,000 electors disappeared, making that ward a likely Labor stronghold.

The debate on this legislation was predictable. Labour claimed the existing franchise was an 'archaic' relic of the nineteenth century when property had more rights than people; the Minister for Local Government pointed to Queensland, where the local government vote was simply given to everyone on the state electoral roll. The opposition replied that Brisbane City Council took in the whole metropolitan area, whereas Sydney City council covered a Central Business District surrounded by a fringe of needy communities. In this situation businesses provided about 90 per cent of the Council's rate revenue and should keep the electoral weight which the current franchise gave them.⁸² Labor had the numbers to win this round in the long-running debate on the peculiar problems of local government in a capital city which was rapidly developing as a tourist and financial centre.

Despite the wholesale removal of non-resident electors, the system of proportional representation worked against an overwhelming victory for Labor in the 1980 Council election. Labor did win 8 of the 15 seats and its nominee, Doug Sutherland, was elected as Lord Mayor. But the post-election mood in Macquarie Street, and especially in the Sussex Street headquarters of the party, was quite sombre. The factional battles over inner city branches, although they were mainly about state and federal preselections, also affected municipal politics with the result that the Left was well-represented on Council, with aldermen like Robert Tickner and Tony Reeves. They had the capacity to lock their colleagues into some radical initiatives. Reeves, for example, became Chair of the Planning and Development Committee and came up with the idea of a 2 per cent levy on major commercial developments which would be paid into the Council's Housing Trust Fund. Increasing the city's public as well as private housing stock was traditional Labor policy, but this initiative did not sit well with those sections of the Party which were working hard to shed Labor's anti-business image. The levy was eventually declared invalid by the court.⁸³

AMALGAMATION WITH SOUTH SYDNEY COUNCIL, 1981

One solution to the council's 'instability' was to change Sydney's boundaries once again. The

amalgamation of selected metropolitan councils had been on the Labor agenda since before the 1976 state elections and in 1980 a report of the Local Government Boundaries Commission demonstrated that rates should fall and services could be maintained if the City of Sydney was extended to take in parts of Leichhardt, Marrickville, South Sydney, Woollahra and Waverley.⁸⁴ However, the Local Government (City of Sydney Boundaries) Act of 1981 simply brought the whole of South Sydney back into the city. The government claimed that South Sydney was the victim of Coalition gerrymandering in 1967-68 and had never been viable outside the City of Sydney. The opposition, most of the media and even some Labor left-wingers objected that South Sydney's financial problems were caused by overservicing and overmanning. The *Herald*, for one, argued that this council should have been dismissed not rescued by an amalgamation.⁸⁵ As far as the government was concerned, South Sydney Council had one redeeming feature; it was controlled by Labor's Right faction and thus boundary changes promised to neutralise the Left's gains in Sydney proper. This time the manipulation of the city's limits was a factional rather than a straight party political manoeuvre and, in the context of the violent internecine conflicts which had culminated in the bashing of the Left's Peter Baldwin in 1980, the deal got a very bad press.

In the short-term it paid off. The amalgamation came into effect early in 1982, bringing the number of wards in the City of Sydney to nine:

- Alexandria
- Fitzroy
- Flinders
- Gipps
- Macquarie
- Newtown
- Phillip
- Redfern
- Waterloo

This meant that the Council was made up of 27 aldermen and one Lord Mayor; with the importation of South Sydney's stalwarts Labor's Right was in control.

The elections scheduled for 1983 were postponed by proposals to restructure and reduce this unwieldy body. These plans were shelved, but it was not until April 1984 that the city's electors got the chance to comment on the new regime. The results were devastating for both of the parties which had dominated Council politics for decades. Conservatives, running under the banner of the Liberal Civic Reform Association, mustered only six seats. Labor won 12 and thus lost control of the Council, although Doug Sutherland was successful in the separate election for Lord Mayor. The real winners were the nine Independents, including Communists and representatives of middle-class resident action groups, who would now hold the balance of power. Significantly they polled particularly strongly in the supposed Labor strongholds of South Sydney; in Redfern ward, for example, Labor managed to elect the South Sydney's former mayor, Bill Hartup, but the other two seats were won by independents Clover Moore and Sue Willis.⁸⁶

When Labor restored proportional representation it was accepted that this voting system gave opportunities to minor parties and Independents. But the full impact of the change was not felt in the 1980 elections, even though there was a hint of things to come when Michael Matthews was elected in Phillip as a representative of the Ultimo Pymont Action Group. In the intervening four years such groups sharpened their political skills on matters like the control of preferences. They also worked hard to tap resident outrage at the 1981 amalgamation, which seemed to reduce voters to mere cannon fodder for party machines. Regular newsletters and meetings dealt with 'micro-environmental' issues like street closures and tree plantings while also addressing the big

perennial question of Sydney's high rise development and its impact on residential areas. On issues like this there was common ground between 'old' and 'new' residents of the city and inner suburbs. The election results did reflect the changing demography of Sydney, not least the growth of a substantial gay population in wards like Flinders where Brian McGahen ran successfully as a Communist Independent and 'leader of the gay community'.⁸⁷ But the rise of independent candidates in the 1980s was not just the result of gentrification. After all the 'gentry' in Phillip were not numerous enough in 1980 to elect Matthews without the defection of some traditional Labor voters. By 1984 population change and the erosion of old loyalties had produced a Council which, according to Lord Mayor Sutherland, was 'unworkable'.

To manage this Council Labor first attempted to form an alliance with the Independents. But the organisation which prided itself on having introduced party discipline to New South Wales parliaments and councils was ill-equipped for this task. New or perhaps old skills were needed to cope with conditions which were in some ways reminiscent of the nineteenth century. In a Council which is leavened with Independents, negotiations on issues take longer and are more transparent than the closed caucus decisions which are all-important whenever one party has a clear majority. Independents have an irritating habit of consulting their constituents and, by definition, do not always vote as a bloc. In the 1980s aldermen from both parties attacked them for being obsessively 'representational', for considering issues from the perspective of their own wards and for ignoring the 'big picture' of Sydney's development. Even more critical was the state government, which was anxious to exploit the tourist potential of the approaching Bicentennial and to see large employment-generating projects underway in Sydney. It was not prepared to see them delayed by painstaking negotiations, however democratic, at Council level. Thus the Darling Harbour Authority was set up immediately after the 1984 elections, taking the city's major Bicentennial project out of Council control.

By September 1984 municipal Labor had given up any hope of an alliance with the Independents. Labor and Liberal/Civic Reform aldermen then got out their long spoons and agreed to cooperate to guarantee Council stability. But stability was not so easily achieved. Two Labor left-wingers, Craig Johnston and Phillip Rhoades, objected so strongly to the pact with the Liberals that they were expelled from the party. This meant that the 11 Independents were now the single largest group on the Council. Although Labor and Liberals combined to outvote them on several issues, both procedural and substantive, the parties were not in a formal coalition. Consequently the council's actions on crucial development applications could not always be predicted. Because the issues were so important and because they were not being decided in backrooms, Council and committee meetings were often long and unruly, reinforcing the state government's argument that the Council was degenerating into a shambles. Nor could the government be sure that Labor aldermen would docilely accept encroachments on Council powers. The Darling Harbour monorail was a case in point. The state government was determined to have a monorail built through the city streets, in order to deliver customers to the Darling Harbour development. Opposition to this plan united many of the warring aldermen, from the veteran environmentalist Jack Munday to the Labor Lord Mayor Doug Sutherland. To keep to its Bicentennial agenda the government simply overrode the Council. In 1986, for example, Council rejected an application for a high-rise development on the corner of Pitt and Market streets, which was meant to incorporate a monorail station. The government responded by removing the Council's planning powers for that site and by March 1987 was ready to abandon the pretence of municipal autonomy. The aldermen were sacked and replaced by three commissioners while Judge A.J. Goran was commissioned to report on the structure and functions of any future Council.⁸⁸ At a press conference to justify this move Premier Barrie Unsworth declared:

"The government wants a new form of government... which will ensure that the competing interests of the central business district of Australia's largest city and capital of the state are not impeded by the interests of those who reside in the city suburbs

such as Redfern, Chippendale and other parts of the present City of Sydney's area.⁸⁹

This comment is a measure of how far the Labor government had travelled since it redrew boundaries and abolished the 'business vote' in the name of 'people power'.

THE GORAN REPORTS AND THE CITY OF SYDNEY ACT OF 1988

By the time Judge Goran made his final report in May 1988, the Unsworth government had been defeated and a Coalition government led by Nick Greiner had to assess his controversial proposals. Goran urged the new ministry to abandon 'preconceived notions about local government rights and populist conceptions' and to admit that 'Sydney has outgrown municipal government'.⁹⁰ Like Unsworth he drew a sharp distinction between the 'dynamic' centre of Sydney and its surrounding suburbs. Indeed he defined an area to be known as Sydney Central, stretching down from the southern shores of Port Jackson to take in the Haymarket area and Central Railway Station, then across from Darling Harbour to the eastern boundaries of the Domain and the Botanic Gardens. Tacked onto this central core would be 'special purpose areas including the Royal Prince Alfred Hospital and the University of Sydney. There were at least 2,500 voters within Sydney Central but Goran proposed to disenfranchise them and make the district an election-free zone. He argued that Sydney could not achieve its destiny as the leading city of the South Pacific and would not attract international capital under an elected Council. Even in such a circumscribed area, and even if the 'business' vote was restored, highly-organised community groups might still elect aldermen with unsuitably 'suburban' attitudes. Goran's ideal city was essentially a tourist, financial and commercial centre. He had little sympathy with the argument that the most dynamic cities are lived-in cities and that residential input is essential to ensure that they remain livable. Instead he recommended that Sydney Central should be run by a commission of 'entrepreneurs who are specially skilled in their duties'.⁹¹ The areas outside this central core but within the existing (1981) boundaries of Sydney should make up an 'integral municipal area', keeping the name City of Sydney and electing a Council.⁹²

The Greiner government could not afford to be so wholeheartedly dismissive of the democratic process and resorted to some more conventional electoral engineering. It accepted the argument that there was no real community of interest between what was conventionally known as the Central Business District of Sydney and the inner suburbs. Under the City of Sydney Act of 1988 boundaries were redrawn to reflect this division. The new City of Sydney was virtually coterminous with Goran's Sydney Central, but it also included the Pymont-Ultimo peninsula. The rationale for including this once heavily-industrialised area in the Brave New Sydney was that the peninsula was scheduled for rapid residential-commercial development. Rather ominously for the existing residents of Pymont and Ultimo, the government argued that the new boundaries took in the 'homogenous' CBD and areas which were 'yet to become truly homogenous'.⁹³

The government parted company with Goran by proposing to restore an elected Council to the centre of Sydney. But although the City Council was to be revived its planning powers would be severely restricted. The City of Sydney Act created a new nine-member body known as the Central Sydney Planning Committee. The Lord Mayor of Sydney and two of its aldermen would fill three Committee places, the state government's Director of Planning would be an ex officio member. The remaining five members would include the Mayor of South Sydney, and four chosen by the Minister for Local Government from experts in the fields of architecture, planning, tourism etc. This was a watered down version of Goran's entrepreneurial commission, with the city's elected representatives being involved, if always outnumbered, on a Committee which would dictate Sydney's future development. Before

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1987 there was a division of labour in urban planning; the state government framed policy and councils decided individual development applications within the parameters set by Macquarie Street. As we have seen, the Labor government of the 1980s was prepared to take certain sites out of the normal planning process, but the City of Sydney Act went much further. The new Committee would not only take over the Council's right to prepare local environmental plans for the City of Sydney but would deal with all applications for 'major developments'. In practice this meant that the new Council would not have the power to approve developments worth more than fifty million dollars. This 'streamlining' of the development process has been described by Fitzgerald as 'perhaps the most profound example during this century of shift of a decision making out of the sphere of local government, and out of the democratic arena'.⁹⁴

The other provisions of City of Sydney Act appeared to reduce the city and its shorn Council to Civic Reform. The new Council was to consist of just seven aldermen, elected on a city-wide basis. They would then choose one of their number as Lord Mayor. Significantly the legislation also changed the municipal franchise; from 1988 owners, ratepaying lessees or occupiers of ratable land were eligible to vote in City Council elections, along with residents of the City of Sydney.

An owner was defined as:

"a joint or several owner of ratable land; and the holder or resident manager of a lease, promise or contract of lease from the Crown of ratable Crown land"

A ratepaying lessee was defined as:

"a person who has been continuously, during a period of 3 months preceding the relevant date; the lessee (whether jointly or severally) of ratable land and who is liable, under a lease in writing or other document of title relating to the land, to pay to any person the whole or any part of any local government rates which may be made or levied in respect of the land."

An occupier was defined as:

"a person who has been continuously, during the period of 3 months preceding the relevant date, in actual occupation of ratable land (jointly or severally, but not as owner or ratepaying lessee) where the annual amount payable by the person (or by the person together with another person or other persons) for the right to that occupation is at least \$5,000 (or, if the regulations prescribe a greater amount; the greater amount so prescribed)."

The rider to this definition stated:

"If the annual amount payable for the joint occupation of any ratable land exceeds \$5,000 (or the greater amount prescribed ...) the maximum number of occupiers of that ratable land for the purposes of subsection (1)(c) [ie the section relating to occupiers] is the number obtained by dividing the annual amount so payable by \$5,000 (or an amount equivalent to the greater amount prescribed) ignoring any remainder."

A resident was defined as:

"a person who is, on the relevant date, enrolled, within the meaning of the Parliamentary Electorates and Elections Act 1912, on the role for any electoral district

and whose place of living as described on that roll is within the City of Sydney."

People living in the city had regained the right to vote but were likely to be swamped by new electors, supposedly sympathetic to Civic Reform. The Labor opposition protested that the \$5,000 provision would again load the electoral roll with non-resident occupiers; it would, for example, allow all the partners in large city law firms to vote. However, Labor's recent record undermined its rumblings about undemocratic legislation.⁹⁵ When the first election was held in December 1988, there were over 16,000 names on the roll and, given the composition of the electorate, most commentators predicted a win for Reform.

Table 11 CITY OF SYDNEY - ELECTORS & VOTES, 1988

| Ward | Enrolled | Votes Cast |
|------------------------------------------------|-----------------|-------------------|
| Owners | 3,055 | 1,466 |
| Owners' nominee | 1,691 | 670 |
| Lessee of Crown land | 168 | 41 |
| Lessee's nominee (Crown land) | 70 | 20 |
| Non-residential occupier | 2,568 | 1,870 |
| Non-residential occupier (rate-paying lessees) | 4,718 | 2,351 |
| Total Electors | 16,133 | 8,875 |

Source: Sydney City Council Electoral Office

In fact the results showed how hard it had become to guarantee a majority at the Town Hall. Despite compulsory voting, the turnout was below 50 per cent and, as Goran had predicted, the Independents were well-organised, managing to win two seats. Civic Reform took three positions and the Reform candidate for Lord Mayor, Jeremy Bingham, was elected because the two remaining aldermen could not achieve an alliance with the Independents. One of them was an official Labor alderman. The other was Sutherland, who had stood as an Independent himself, although observers generally identified him as a Labor man and memories of the 1980s Council stood between him and any agreement with the other Independents.⁹⁶ All this worked to the benefit of Civic Reform but the machinations over the mayoralty suggested that paring the Council down to seven aldermen might backfire on the state government and its municipal allies.

In such a small body the personalities, prejudices and principles of each individual carried great weight. This was clearly demonstrated in the Council election of 1991. Civic Reform went into that election having dropped Bingham as its mayoral candidate. Perhaps because of this whiff of factionalism the party did not poll well and elected only two aldermen, as did Labor. The Independents won three seats but still could not guarantee that their candidate, Frank Sartor, would become Lord Mayor. But in a tense mayoral contest one Reform alderman, Randolph Griffiths, refused to join in a Reform-Labor pact and gave his vote to Sartor. The city had its first Independent Lord Mayor since the First World War.

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MAYORS OF THE CITY OF SYDNEY

| Mayoral Term | Name |
|---------------------|------------------------------------|
| 12 Aug - 9 Nov 1842 | Charles Windeyer (Nominated Mayor) |
| 1942 - 1943 | Alderman John Hosking |
| 1843 - 1844 | Alderman James Robert Wilshire |
| 1845 | Alderman George Allen |
| 1846 | Alderman H. McDermott |
| 1847 | Alderman Joshua Frey Josephson |
| 1849 | Alderman Edward Flood |
| 1850 | Alderman George Hill |
| 1851 - 1852 | Alderman William Edward Thurlow |
| 1853 | Alderman Daniel Egan |

CITY COMMISSIONERS

| | |
|-------------|------------------------------------------------------------|
| 1854 - 1856 | Gilbert Eliot (Chief) Frederick Orme Darval John Rae |
|-------------|------------------------------------------------------------|

MAYORS OF THE CITY OF SYDNEY

| | |
|-------------|--------------------------------------|
| 1857 | Alderman George Thornton |
| 1858 | Alderman John Williams |
| 1959 | Alderman George Smith |
| 1860 | Alderman James Murphy |
| 1861 | Alderman John Sutherland |
| 1862 | Alderman James Oatley |
| 1863 | Alderman Thomas Spence |
| 1864 | Alderman William Speer |
| 1865 | Alderman John Woods |
| 1866 | Alderman John Sutton |
| 1867 - 1869 | Alderman Charles Moore |
| 1869 - 1870 | Alderman Walter Renny |
| 1871 - 1872 | Alderman Michael Chapman |
| 1873 | Alderman James Merriman |
| 1874 | Alderman Stephen Styles Goold |
| 1875 - 1876 | Alderman Benjamin Palmer |
| 1877 - 1878 | Alderman James Merriman |
| 1979 | Alderman Charles James Roberts |
| 1880 | Alderman Robert Fowler |
| 1881 - 1883 | Alderman John Harris |
| 1884 | Alderman John Hardie |
| 1885 | Alderman Thomas Playfair |
| 1886 | Alderman John Young |
| 1887 | Alderman Alban Joseph Riley |
| 1888 - 1889 | Alderman John Harris |
| 1890 - 1891 | Alderman Sydney Burdekin |
| 1891 - 1894 | Alderman Sir William Patrick Manning |
| 1895 | Alderman Samuel Edward Lees |
| 1896 - 1897 | Alderman Isaac Ellis Ives |
| 1898 - 1900 | Alderman Sir Matthew Harris |
| 1901 | Alderman Sir James Graham |

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1902 Alderman Sir Thomas Hughes

LORD MAYORS OF THE CITY OF SYDNEY

| | |
|----------------------|------------------------------------------|
| 1902 - 1903 | Alderman Sir Thomas Hughes |
| 1904 | Alderman Samuel Edward Lees |
| 1905 - 1906 | Alderman Allen Arthur Taylor |
| 1907 - 1908 | Alderman Sir Thomas Hughes |
| 1909 - 1912 | Alderman Sir Allen Arthur Taylor |
| 1912 | Alderman George Thomas Clarke |
| 1913 | Alderman Sir Arthur Alfred Clement Cocks |
| 1914 - 1915 | Alderman Richard Watkins Richards |
| 1916 - 1917 | Alderman Richard Denis Meagher |
| 1918 | Alderman James Joynton Smith |
| 1919 | Alderman John English |
| 1919 - 1920 | Alderman Sir Richard Watkins Richards |
| 1920 (16 Mar-31 Dec) | Alderman William Patrick Fitzgerald |
| 1921 | Alderman William Henry Lambert |
| 1922 | Alderman William Percy McElhone |
| 1923-1924 | Alderman David Gilpin |
| 1925 - 1926 | Alderman Patrick Vincent Stokes |
| 1927 | Alderman John Harold Mostyn |

CITY COMMISSIONERS

| | |
|----------------------------|---------------------------------|
| 1 Jan 1928 - 30 Jun 1930 | E.P. Fleming |
| 30 Oct 1928 - 30 June 1930 | J. Garlick |
| 1 Jan 1928 - 30 Jun 1930 | H. E. Morton |
| 30 Oct 1928 - 30 Jun 1930 | Brig. General H. Gordon Bennett |

LORD MAYORS OF THE CITY OF SYDNEY

| | |
|----------------------|--------------------------------------|
| 1930 | Alderman E.S. Marks, MLA |
| 1931 | Alderman Joseph Jackson, MLA |
| 1932 | Hon. W. Walder, MLS |
| 1933 | Alderman R.C. Hagon |
| 1934 | Sir Alfred L. Parker |
| 1935 (22 Oct-31 Dec) | Alderman Arthur McElhone |
| 1936 - 1937 | Hon. Archibald Howie, MLC |
| 1938 | Alderman Norman L. Nock |
| 1939 | Sir Norman L. Nock |
| 1940 - 1942 | Alderman Stanley S. Crick |
| 1943 - 1944 | Alderman R.J. Bartley |
| 1945 | Alderman W. Neville Harding |
| 1946 - 1948 | Alderman R.J. Bartley |
| 1949 - 1952 | The Hon. E.C. O'Dea, MLC |
| 1953 | Alderman Patrick Darcy Hills |
| 1954 - 1956 | Alderman Patrick Darcy Hills, MLA |
| 1957 - 1964 | Alderman Henry Frederick Jensen |
| 1965 | Alderman Henry Frederick Jensen, MLA |
| 1966 - 1967 | Alderman John Armstrong |

COMMISSIONERS

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14 Nov 1967 - 26 Sept 1969

Hon. Bernon Haddon Treatt, MM, QC,
BCL, Chief Commissioner
J.A.L. Shaw, CBE, DSO, BE, Deputy
Chief Commissioner
W.W. Pettingell, CBE, Commissioner

LORD MAYORS OF THE CITY OF SYDNEY

1969 - 1971

Alderman L. Emmet McDermott

1972 - 25 Sept 1972

Sir Emmet McDermott, KBE

25 Sep 1972 - 24 Sep 1973

Alderman David Griffin, CBE

24 Sep 1973 - 26 Sep 1975

Alderman Nicholas Shehadie, OBE

26 Sep 1975 - 26 Aug 1978

Alderman Leo Port, MBE

4 Nov 1978 - 1980

Alderman Nelson John Meers

1980 - 26 mar 1987

Alderman Douglas William Sutherland, AM

ADMINISTRATOR

26 Mar 1987 - 06 Apr 1987

Sir Eric Neal, AC

COMMISSIONERS

6 Apr 1987 - 31 Dec 1988

Sir Eric Neal, AC, Chief Commissioner
Sir Nicholas Shehadie, OBE, Deputy Chief
Commissioner
Norman Oakes, AO, Commissioner

LORD MAYORS OF THE CITY OF SYDNEY

1 Jan 1989 - 18 Sep 1991

Alderman Jeremy Bingham

18 Sep 1991 - to date

Alderman Frank Ernest Sartor

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