

# CITY OF SYDNEY AMENDMENT (RESTORING EQUAL VOTING RIGHTS) BILL 2017

*First Reading*

**Bill introduced on motion by Mr Luke Foley, read a first time and printed.**

*Second Reading*

**Mr LUKE FOLEY ( Auburn ) ( 10:44 ): I move:**

That this bill be now read a second time.

It gives me great pleasure to introduce the City of Sydney Amendment (Restoring Equal Voting Rights) Bill 2017. This is a simple piece of legislation as it has a single purpose: to undo one of this Government's most disgraceful rorts. It simply reverses the amendments that the Government rammed through this Parliament in 2014. Those amendments, second read by the then Minister for Local Government, were designed to gerrymander the City of Sydney for the Liberal Party. That was all they were about. Typically, the Government tried to pass them off as something else, but when we strip the spin away that was all they ever were: a D-grade piece of electoral manipulation.

By intention and by design, those 2014 amendments were anti-democratic. They gave every business that pays rates in the City of Sydney two votes and made it compulsory for them to enrol and vote. Why should businesses get two votes when people, the residents who live in the local government area, get only one? This unfair weighting was never explained or justified—it simply could not be. The Government could never admit that the only reason was that it assumed businesses would vote for the Liberal Party.

The amendments were designed to inflate the Liberal Party vote, defeat the incumbent lord mayor, Clover Moore, and win control of the City of Sydney for the Liberal Party. As Australia's most respected electoral commentator, Antony Green, said at the time:

The two votes idea is completely at odds with Australia's history, and with democracy as understood in most western countries.

He said the changes were "designed with malice" to "deliver ermine" for the Liberal Party. It was an appalling, distasteful spectacle, the Liberal Party pulling an electoral rort to try to make Christine Foster the Lord Mayor of Sydney. It was the Liberal Party at its worst—changing the rules to help the born-to-rule brigade win Town Hall. But every grey cloud has a silver lining, and happily this rort was a spectacular failure. The voters saw through it; it blew up in the Liberal Party's face. The widespread disgust felt by so many citizens at the reprehensible rort motivated many fair-minded people to vote for Clover Moore. The Liberal Party's unfair, malicious, antidemocratic persecution of the Lord Mayor only served to increase her majority.

The community of the City of Sydney did not want the Liberal Party manipulators, lobbyists and, yes, lurk merchants to win. The Government's cynical rort ended in yet another spectacular embarrassment. Let us draw a line and bring to an end this shameful and shambolic episode by passing this legislation. This exercise has already cost ratepayers \$12 million, the amount the City of Sydney has had to spend on implementing this poor law. This money could and should have been spent on libraries, parks and the many other services that the council provides to its community. Unless this bill that I bring in today is passed by this Parliament, the whole bureaucracy needed to implement the 2014 rort will remain and will still be needed. Millions more dollars would be needed to enforce this poor, antidemocratic law.

Those opposite like to pretend they are representatives of parties for small government and the elimination of red tape, but there is an army of bureaucrats designed to enforce electoral rigging in the City of Sydney council. Rather than take them at their word of being small-government types who want to eliminate red tape, we should see them for what they are—evil-minded schemers. Far from reducing regulation, the 2014 changes imposed new obligations on both business and the city itself. These regulations create costs, consume resources and waste time. Unless the laws are repealed, there are also fines to consider, as directors of businesses that did not enrol and then did not vote now face fines.

The Government's silence on fining businesses is deafening. Surely it is now past time for a clear statement from this Government about whether it is to pursue the enforcement of these fines against directors of businesses who did not follow the Liberal Party's script. When it comes to rorting local government, this reform is not on its own. In fact, the widespread rorting of local government is perhaps this Government's most defining initiative.

Let us understand the two votes for business rort in the wider context of this Government's interference in local government across the State. The forced mergers are being pursued under the guise of promoting municipal efficiency, but of course they also are part of the plot by the Liberal and National parties to seize control of local government. As I said on the day that dozens of mayors and hundreds of councillors who between them received the votes of millions of our fellow citizens were sacked, the forced council mergers are a disgraceful exercise in political partisanship.

On the mid North Coast a former Nationals member was plonked on the community as an administrator of the merged Gloucester, Great Lakes and Greater Taree councils, replacing the elected leadership. Democratically elected councillors were swept away with the stroke of a Premier's pen and replaced by an appointed Nationals apparatchik. Across the State citizens of 42 local government areas had their elected councillors and mayors sacked. That was supplemented by the crudest and most blatant act of boundary rigging in this country since Joh Bjelke-Petersen's notorious Queensland gerrymander in the 1970s. In the St George area—as the member for Rockdale and member for Kogarah never cease to remind me—the councils of Rockdale, Kogarah and Hurstville were prepared to enter into discussions about a genuine St George council.

But, of course, the Government rejected that proposal. Why? Because there are too many Labor voters in Rockdale. To gerrymander the area the Liberals had to exclude Rockdale, because there were too many Labor voters, and merge it with Botany, which was the eastern suburbs council with too many Labor voters. The outcome was a Liberal gerrymander in the new Georges River Council and a Liberal gerrymander in the eastern suburbs super council. We can see the pattern across Sydney—in the east, south and west. In Western Sydney the member for Granville had to sit through a shameful exercise in which her constituents, who had been part of the city of Parramatta since 1947, were removed from that area. No-one ever made a single submission or argument to remove the citizens of Granville—

**Mr Chris Patterson:** Point of order: I ask you to direct the member to return to the leave of the bill.

**The DEPUTY SPEAKER:** This is a second reading speech and members sometimes stray from the bill, but I am sure in his introduction the Leader of the Opposition will return to the leave of the bill.

**Mr LUKE FOLEY:** I will, Mr Deputy Speaker. Thank you for your assistance. As I was saying, this Government, which is only interested in partisan political outcomes, has repeated the pattern of deceit in the City of Sydney across this State. In the eastern, southern and western suburbs, in the city itself and across regional New South Wales communities are angry. The only thing consistent about this Government's approach to local government is its desire to seize control of town halls across the State for its partisan political interests.

That is the one thing that runs through every policy and every piece of legislation this Government initiates that affect local councils across New South Wales.

**Mr John Sidoti:** Your local council amalgamated in 2000 under Labor.

**Mr LUKE FOLEY:** Here we go: the bloke who was in the Cabinet for four hours! I acknowledge the interjection.

**Mr Mark Coure:** It was six hours. Leave him alone.

**Mr LUKE FOLEY:** That is six hours longer than you were ever in anyone's Cabinet line-up, mate. You were never at the starting gate.

The member for Drummoyne interjects. In the Liberal Party discussion last week he fought the suggestion of a rollback on council mergers like it was Rorke's Drift. Never has anyone fought so hard. Everyone knows that as soon as that merger is on he will quit to run as mayor of the super council because he reckons that is a far better job than any he will get in this place from any Premier. I thank the member for Drummoyne for the interjection.

I return to the bill I have introduced today. The reforms that local government needs are not rorts like multiple votes for corporations but reforms that strengthen the integrity of local government and its administration. Labor says that property developers and real estate agents should not be allowed to serve as elected councillors because there are too many conflicts of interest. We need development and developers, but I cannot see how to reconcile the business of making development applications with sitting in judgement on those development applications. There is a permanent conflict of interest that Labor would remove. There should be caps on campaign expenditure in local government. How is it that the Leader of the Liberal Party and the Leader of the Labor Party can seek the office of Premier of New South Wales with strict limits on how much we can raise and spend while in a small ward of a municipal council there are no limits? It is manifestly unfair.

These are the reforms local government needs, not crude electoral manipulations, gerrymanders and boundary rigging. There is a round of local government elections this September. My challenge to the Premier and the new Minister for Local Government is to put the necessary reforms in place by then. This Parliament has the opportunity to legislate in this session, prior to the budget, with bipartisan support to ensure that proper spending and donation caps are in place well and truly before this year's local government elections. It is an opportunity to remove the conflicts of interest that arise when developers in the business of bringing development applications are sitting in judgement on development applications. It is the opportunity to bring in the reforms that local government needs. These are the reforms that communities desire, not crude boundary rigging like in some electoral district of southern Alabama.

Too often the Government's changes are conceived and executed in ruthless partisanship, which is what happened with the City of Sydney. The Opposition thanks the citizens of the City of Sydney for seeing through this and for sending this Government the clearest possible message by giving an emphatic thumbs down to this unforgivable, inexcusable rort. This legislation introduced by the Labor Opposition is simply to reverse and remove an outrageous rort. It has no other purpose. Its intentions are clear, simple, direct and honest: to fix a disgraceful manipulation of our electoral system in New South Wales and stop an old-style ballot stuffing. I commend the bill to the House.

**Debate adjourned.**