

Petition Management Policy



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Responsible Manager	Manager Governance & Policy
Other key internal stakeholders	Manager Community Development & Engagement Director Community & Cultural Development Director Organisational Services & Excellence Director Assets & Environment
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1. PURPOSE

The purpose of this policy is to ensure that petitions are managed in a fair and consistent manner.

2. POLICY

Council recognises that petitions are an effective means for individuals and groups to express their views and to seek support of those views. Petitions submitted to Council must be in relation to a matter that Council or the relevant Committee has control over or is in a position to make submission to other levels of government.

2.1 Petition Criteria

Petitions do not need to be in any prescribed form; however they must meet the following criteria at a minimum:

- a. Be legibly written, typed or printed
- b. Include contact details for the Contact Person
- c. Clearly set out the request or submission of the petitioners (such as the expected action to be taken by Council e.g. we would like Council to construct a footpath). This should be clearly shown at the top of every page to ensure that each signatory is fully aware of what the petition is outlining.
- d. Include the name, signature (where relevant) and address of each person who signed or endorsed the petition.

Telephone numbers are not necessary on petitions and it is suggested that they not be included for privacy reasons.

Petitions that contain certain material will not be accepted and in this event the Contact Person will be provided with an explanation of why this has occurred. Petitions will not be considered if they:

- a. Contain abusive language
- b. Contain remarks that could be considered defamatory towards a person or entity
- c. Are not clear with their intent
- d. Are not legible
- e. Seek to encourage an unlawful activity
- f. Are related to a Development Application and the petition has not met the requirements of the *Planning, Development and Infrastructure Act 2016 and associated Regulations*.

2.2 Requests to Display Petitions

The Contact Person may request to display a petition (or advise of the existence of a petition) in Council facilities or via Council services (such as social media, Gully Grapevine Council newsletter etc) to seek further community support of those views. These requests must be considered and approved by the Mayor and CEO.

Where the petition relates to a Council policy, function or activity, the Mayor or CEO may refer the Contact Person to the relevant manager to determine if the matter can be resolved without needing to progress the petition further.

As a general principle, such requests will not be supported if the Petition does not meet the Criteria as outlined in Petition Criteria. The Petition must also:

- a. Not contradict any Council decision, strategy, plan or policy (including the requirements of this Policy)
- b. Provide a reasonable close-off date.

The Contact Person will be advised on the decision and of the request an explanation for the refusal. Elected Members will also be advised of any petition that has been refused to be displayed in Council facilities or via Council services.

Petitions displayed in Council Facilities that have not been removed within seven days of the close-off date will be disposed of.

2.3 Petition Submission Process

Petitions must be addressed to the Council and may be hand delivered, mailed or emailed.

For all petitions received, Council will communicate only with the Contact Person. Council will not respond to all petitioners as this is considered to be the responsibility of the Contact Person.

The Contact Person should consider the best method of submitting a petition to Council. Where a petition is tabled during a Public Forum, Deputation or by an Elected Member during a Council or Committee meeting, the petition and the information contained in the document (including personal details and signatures) becomes a public document and will be included in the Minutes, available for inspection by the public.

2.4 Considering the Petition

Once the petition has been submitted, the Contact Person will receive an acknowledgment and be advised when the petition will be formally received by Council or relevant Committee at a future meeting.

A report will be prepared for the next available Council or relevant Committee meeting detailing the following:

- a. A summary of the petition (nature of the request)
- b. The number of signatures/endorsements (where a petitioner has been included more than once, only the first entry will be included)
- c. Any comment on particular trends of the signatories, where relevant (e.g. residents that live in the City compared to those that don't, residents that live on a particular road etc)
- d. The name of the staff member(s) coordinating a response to the petition
- e. Any supporting documentation to assist Council or Committee members in assessing the petition such as site plans, photos etc.

All personal details of the petitioners will be excluded from the report in line with Council's Privacy Policy (with the exception of those petitions tabled at a Council or Committee meeting).

The Report is provided for official receipt and acknowledgement of the petition by Council or a Committee. The petition is then referred to the relevant staff member for further consideration (unless the matter already relates to an existing Council resolution).

Elected Members are entitled to submit a Notice of Motion to Council in regards to any petition but any motion must be consistent with the *Local Government (Procedures at Meetings) Regulations 2013* and Council's Code of Practice for Meeting Procedures.

When a petition is received in relation to a matter that Council is/or is planning on conducting a Community Engagement process, the petition will be presented to Council however it will not be included in the formal Community Engagement outcomes report. Any relevant petition information will be referenced in the related Management Report to Council or a Council Committee.

Any petitioners may address Council or a Committee regarding a petition via the Public Forum or Deputation process in accordance with Council's Code of Practice Meeting Procedures, Public Forum Guidelines and Deputation Guidelines. This should ideally occur in the same meeting where the petition is being presented to Council or a Committee.

2.5 Inspection of a Petition

A copy of the petition will be available for Elected Members to inspect. To ensure that privacy of petitioners is maintained, petitions will not be made available for inspection by members of the public.

Council may release a petition, containing personal information, to others if requested in accordance with the *Freedom of Information Act 1991*.

2.6 Petition Progress

Once a petition has been received by Council or a Committee and referred to the relevant staff member for further consideration (unless the matter already relates to an existing Council resolution) the following will occur:

- a. An information report will be presented to Council advising of the outcome where the matter can be resolved within staff delegation.
- b. A management report will be presented providing recommendation on the proposed outcome if the matter requires further consideration by Council or a Committee.

Any petitions that relate to the amendment or reconsideration of an existing Council resolution would require an Elected Member to provide a written notice of motion to amend or revoke the decision.

The Contact Person will be kept informed on the progress of their petition, including any decisions that are made by Council or a Committee.

Elected Members will be kept informed on the progress of petitions through the Status of Resolutions report for the relevant meeting. This action will not be completed until a report has been presented to Council or a Committee.

3. DEFINITIONS

For the purposes of this policy the following definitions apply:

CEO

Refers to the Chief Executive Officer (including their delegate) of the City of Tea Tree Gully.

Clear days

This does not include the day of the meeting or the day the documents are sent out i.e. the days in between.

Committee

A key (section 41) Committee established by Council

Contact Person

The person submitting a petition or a person nominated as the contact person in relation to a petition (also known as the Head Petitioner). In the absence of these persons, the contact person is the person whose name is first listed on a petition.

Regulations

Local Government (Procedures at Meetings) Regulation 2013.

4. LEGISLATIVE FRAMEWORK

There is no legislative requirement for Council to have a policy relating to this area.

The following legislation applies to this policy:

[Local Government \(Procedures at Meetings\) Regulations 2013](#)

Regulation 10 states that a petition to Council must:

- Be legibly written, typed or printed
- Clearly set out the request or submission of the petitioners
- Include the name and address of each person who signed or endorsed the petition
- Be addressed to Council and delivered to the principal office of Council.

Such petitions must be placed on the agenda for the next ordinary meeting of Council or the relevant Council Committee (unless varied by Council).

4.1 Other references

Council's document including:

- a. Code of Practice for Meeting Procedures
- b. Public Forum Guidelines
- c. Deputation Guidelines
- d. Fees and Charges Register
- e. Privacy Policy
- f. Community Engagement Public Consultation Policy

5. STRATEGIC PLAN/POLICY

5.1 Strategic Plan

The following strategic objectives in Council's Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Community	
<i>People can have a say in decisions that affect them and the key decisions of the Council</i>	Petitions provide the community with an avenue to have a say in decisions that affect them and key decisions of the Council.

5.2 Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of organisational excellence. The themes most relevant to this report are: Customer Care; Learning & Growth.

6. POLICY IMPLEMENTATION

This Policy will be implemented by the Chief Executive Officer or relevant portfolio director and managed in accordance with Council's scheme of delegations.