

# Petition Policy

<b>Reference Number:</b>	CR19/28098
<b>Type:</b>	Council Policy
<b>Responsible Director:</b>	Director Corporate Services
<b>Responsible Officer (s):</b>	Manager Governance & Administration
<b>Initial Adopted Date:</b>	Council on 24 February 2015
<b>Last Review Date:</b>	September 2019
<b>Next Review Date:</b>	September 2023
<b>Legislation:</b>	<i>Local Government Act 1999 Section 80A</i> <i>Local Government (General) Regulations 2013 Reg. 10</i> <i>Electronic Communications Act 2000 Section 7</i>
<b>Related Documents:</b>	Code of Practice for Public Access to Meetings and Documents Code of Practice – Meeting Procedures

## 1 Purpose

- 1.1 Any member of the public may submit a petition to Council for consideration. The purpose of the Petition Policy (the "Policy") is to:
- 1.1.1 clearly communicate Council's expectations in relation to the information to be included with a petition submitted from a member of the public and to specify the legislative requirements that attach to petitions; and
  - 1.1.2 assist Council in effectively managing petitions in accordance with its legislative obligations and in the interests of the community; and
  - 1.1.3 ensure robust communication channels exist between Council and the public in relation to issues of community importance; and
  - 1.1.4 ensure adequate and fair opportunity for community participation in Council decision-making, including at formal Council meetings.

## 2 Definitions

- 2.1 **Business days** means Monday – Friday (inclusive) but excluding public holidays.
- 2.2 **Cause** means the request or plea the subject of a petition.
- 2.3 **Clear days** includes Saturdays, Sundays and public holidays.
- 2.4 **Compliant petition** means a petition that satisfies the criteria under regulation 10(1) of the Regulations. That is, a petition that:
- 2.4.1 is legibly written or typed or printed; and

- 2.4.2 clearly sets out the request or submission of the petitioners; and
- 2.4.3 includes the name and address of each person who signed or endorsed the petition; and
- 2.4.4 is addressed to Council and delivered to the principal office of Council.
- 2.5 **Next ordinary Council meeting** means the next ordinary meeting of Council that is scheduled at least 14 clear days after the Council's receipt of a petition.
- 2.6 **Petition** means a formal written request, typically signed by a number of people and addressed to a person in authority or power, soliciting a favour, right or benefit or that otherwise appeals to the person in respect of a particular cause.
- 2.7 **Principal signatory** is the person responsible for delivering the petition to Council.
- 2.8 **Online Petition** is a compliant petition (refer cl 2.4, above) which is signed online, usually through a form on a website.
- 2.9 **Regulations** means the *Local Government (Procedures at Meetings) Regulations 2013*.
- 2.10 **Signatory** is a person who has signed the petition in support of the cause.

### **3 Scope**

- 3.1 This Policy applies to all petitions submitted to Council.

### **4 Legislative and Corporate Requirements**

- 4.1 The *Local Government (Procedures at Meetings) Regulations 2013* prescribes the criteria for a compliant petition.
- 4.2 *Electronic Communications Act 2000* (SA) Section 7 is legislation that is relevant in respect of electronic petitions. This legislation provides that if the law requires a person to give information in writing, in prescribed circumstances (which extend to the Council's receipt of an electronic petition) that requirement is taken to have been met if the person gives the information by means of an electronic communication.
- 4.3 The Policy is to be read and implemented in conjunction with Council's other relevant policies, strategies and documents, including:
  - 4.3.1 Code of Practice - Meeting Procedures; and
  - 4.3.2 Code of Practice for Public Access to Meetings and Documents.

### **5 Policy Statement**

- 5.1 Pursuant to regulation 10(2) of the Regulations, the Chief Executive Officer will ensure that all compliant petitions are addressed within the agenda for the next ordinary Council meeting in accordance with the requirements of this Policy.

## 6 Policy & Process

### 6.1 Submitting a Petition

- 6.1.1 Any person may submit a petition to Council.
- 6.1.2 Council will only communicate with the principal signatory in respect of a petition.
- 6.1.3 The Chief Executive Officer is required by regulation to act in accordance with the policy position set by Council. A petition that is provided for consideration at a Council meeting extends to compliant petitions only.

### 6.2 Form of Petition

- 6.2.1 Where a petition comprises multiple pages, the cause must be clearly set out on the top of each page.
- 6.2.2 The petition must include the name and address of each signatory. For the purposes of this policy an address may be a residential or business address (not an electronic address) and at the very least, must include reference to a street name and suburb. The number of the signatory's address may be omitted at the discretion of the signatory.

*Note: Council considers the inclusion of an address of a signatory to be essential because depending upon the nature of the cause; Council will have regard to the address of each signatory in determining the weight to be given to the petition.*

- 6.2.3 The petition form comprising **Attachment A** to this Policy may be used by members of the public who wish to submit a compliant petition to Council.
- 6.2.4 Where a hardcopy petition is submitted to Council, the original petition must be submitted.

### 6.3 Electronic or Online Petitions

- 6.3.1 For the avoidance of doubt, a compliant petition may be in an electronic format that is sent to the principal office of Council via email with 'Petition' typed in the subject line and addressed to [admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au).
- 6.3.2 The principal signatory must notify council of an online petition (in the form proposed by clause 6.3.1) by including a link to the online petition within the body of the email. The mere existence of an online petition addressed to Council is not sufficient to trigger the application of this Policy.

### 6.4 Procedure upon receipt of a petition

- 6.4.1 Council will acknowledge receipt of a petition within 3 business days, to the principal signatory.

- 6.4.2 Council's acknowledgement of receipt of a petition will include a statement requiring that the principal signatory be responsible for all correspondence to signatories.
- 6.4.3 If the petition is not a compliant petition the Chief Executive Officer may determine whether or not to address the petition within the agenda for a Council meeting. The Chief Executive Officer's decision in this regard is final.
- 6.4.4 If the petition is a compliant petition or the Chief Executive Officer determines under clause 6.4.3 that the petition should be addressed within the agenda for a Council meeting, the principal signatory will be advised of the date of the meeting at which the petition will be referred to in Council's agenda.
- 6.4.5 A compliant petition that is received no less than 14 clear days prior to a scheduled ordinary Council meeting will be addressed within the agenda for that ordinary meeting. Upon receipt of a compliant petition less than 14 days prior to a scheduled meeting, Council will make a practical effort to include that petition in the upcoming agenda.
- 6.4.6 The petition itself will not be placed on the agenda, but the cause as stated on the petition form (see clause 6.2.1 above), and number of signatories endorsing the petition, will be extracted and included within the business papers.
- 6.4.7 Prior to an upcoming meeting, Council members will receive a copy of any petitions to be received by Council for consideration.
- 6.4.8 Persons who wish to speak to a petition received by council may submit a *Deputation Request Form* by application at least 5 clear days before the respective meeting. Application template and information about deputations can be found [here](#).
- 6.4.9 Upon Receipt of a petition, council may resolve to :
- (1) Receive and note the petition,
  - (2) Prepare a report in relation to the cause for consideration by Council at a future meeting,
  - (3) Notify the principal signatory of the outcome,
  - (4) Publish the petition on the website for inspection (please see cl. 6.5.1).
  - (5) Execute any other action council sees fit.
- 6.4.10 As soon as practicable after a petition has been considered by Council, the Chief Executive Officer (or delegate) will notify the principal signatory of any outcome made by Council in relation to it.

## **6.5 Privacy Considerations**

- 6.5.1 As a public document, Council has discretion to publish a petition in the agenda, minutes, or to the council website. Petitions published by Council will be done so as an image, or any other way which ensures the information cannot be searched or discovered by search engine.
- 6.5.2 It is the responsibility of the principal signatory to ensure that signatories to a petition are aware of the public nature of petitions submitted to Council.

## **7 Review**

- 7.1 The Policy will be reviewed once per Council term or as required by legislation.

## **8 Access to the Policy**

- 8.1 The Policy is available to the public:

[www.prospect.sa.gov.au](http://www.prospect.sa.gov.au)

Customer Services, 128 Prospect Road, Prospect SA 5082

## **9 Further Information**

For further information about this policy please contact:

Director Corporate Services  
City of Prospect  
128 Prospect Road  
Prospect SA 5082

8269 5355

[admin@prospect.sa.gov.au](mailto:admin@prospect.sa.gov.au)

## ATTACHMENT A

### Template Petition Form

**Petition:** (Brief heading)

**To:** Chief Executive Officer, City of Prospect  
PO Box 171 Prospect SA 5082

**Principal Signatory:** (Name, Contact Details, Address)  
Council will only communicate with the principal signatory,  
who is further responsible for all correspondence to signatories.

**Topic:** (Clearly set out the request of petitioners)

Note that persons who wish to speak to this petition received by council may submit a *Deputation Request Form* by application at least 5 clear days before the respective meeting. Application template and information about deputations can be found [here](#).

***We, the undersigned, wish to submit the following petition to Council. We understand that a petition submitted to the Council is a public document***

**List of signatories to the petition:**

- |   |            |               |                 |
|---|------------|---------------|-----------------|
| 1 | Name _____ | Address _____ | Signature _____ |
| 2 | Name _____ | Address _____ | Signature _____ |
| 3 | Name _____ | Address _____ | Signature _____ |
| 4 | Name _____ | Address _____ | Signature _____ |
| 5 | Name _____ | Address _____ | Signature _____ |
| 6 | Name _____ | Address _____ | Signature _____ |
| 7 | Name _____ | Address _____ | Signature _____ |
| 8 | Name _____ | Address _____ | Signature _____ |
| 9 | Name _____ | Address _____ | Signature _____ |

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(Copy this page exactly to submit further signatures)

**Petition:** (Brief heading)

**To:** Chief Executive Officer, City of Prospect  
PO Box 171 Prospect SA 5082

**Principal Signatory:** (Name, Contact Details, Address)

**Topic:** (Clearly set out the request of petitioners)

***We, the undersigned, wish to submit the following petition to Council. We understand that a petition submitted to the Council is a public document***

10	Name _____	Address _____	Signature _____
11	Name _____	Address _____	Signature _____
12	Name _____	Address _____	Signature _____
13	Name _____	Address _____	Signature _____
14	Name _____	Address _____	Signature _____
15	Name _____	Address _____	Signature _____
16	Name _____	Address _____	Signature _____
17	Name _____	Address _____	Signature _____
18	Name _____	Address _____	Signature _____
19	Name _____	Address _____	Signature _____
20	Name _____	Address _____	Signature _____
21	Name _____	Address _____	Signature _____