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**NAME OF POLICY:** Petitions

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**POLICY MANUAL:** Governance

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## DEFINITIONS

*“Petition”* A petition is a formally drawn up request to the Council seeking action or special consideration of a particular matter, which is signed by a number of residents/members of the public.

## DISCUSSION

Regulation 11 of the General Regulations under the Local Government Act 1999, govern the legal requirements relating to petitions.

The relevant regulation is detailed below:

### *Petitions*

11. (1) *A petition to the council must-*
- (a) be legibly written or typed or printed; and*
  - (b) clearly set out the request or submission of the petitioners; and*
  - (c) be addressed to the council and delivered to the principal office of the council.*
- (2) *If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.*

The Act provides for the minimum legal requirement for a petition.

In addition to this, the petition should include, for each person who has signed the petition, their name, address and normal signature. The entry is required to be signed by the person named in the petition, and not by a third party.

The name and address details of the coordinator of the petition should also be included, to allow a response to the petition to be properly addressed.

## KEY PRINCIPLES

Petitions provide a valuable mechanism for the community to make requests of, and provide information to the Council.

The City of Norwood, Payneham & St Peters will meet all legal requirements relating to the handling of petitions as a minimum standard.

Petitions will be tabled at an ordinary meeting of Council, except where the petition relates to an issue that is being considered by the Council at a special meeting, in which case the petition will be tabled at that special meeting.

Petitions received in respect to active Development Applications will be referred to the Development Assessment Panel for consideration as follows:

- in the event that the decision will be made by the Development Assessment Panel, the petition will be referred to the Panel for consideration.
- in the event that the decision is to be determined under delegation the Development Assessment Panel will receive the petition and provide advice to staff in respect to the content of the petition.

Petitions will be handled in accordance with the above principles and process outlined below.

## **POLICY AND PROCESS**

Petitions are to be received at the principal council office only, located at 175 The Parade, Norwood.

Petitions may be hand delivered or posted.

When petitions are received they will be handled as follows:

1. The petition will be immediately forwarded to the Chief Executive Officer (CEO).
2. The CEO will determine the department most appropriate to handle the matter and forward the petition to the General Manager of that Department.
3. Time permitting, a report will be prepared addressing the matter raised by the petitioners, and included on the agenda of the next ordinary meeting of Council.
4. If the petition is received near to the agenda close off such that time does not allow a report to be written, then details of the petition will be included on the agenda, with a report to be included on the agenda of the ordinary meeting of Council.
5. If the petition is received after the agenda has been finalised then the petition will be brought to Council's attention by the CEO as part of "updates to reports" under the meeting heading "Petitions", and a report will be forwarded to the next ordinary meeting of Council.
6. The petition will be reviewed for errors, duplicate names, obvious false names or other invalid entries. The number of signatories will be determined accordingly.
7. A valid entry must include:
  - The persons name,
  - The persons address, and
  - The persons signature (ie not signed on behalf of another person).The report to Council will detail:
  - The nature of the request or issues raised,
  - The number of valid entries on the petition,
  - The number of any invalid entries,
  - The number of residents/property owners versus non residents/property owner,
  - Additional background information known to staff relating to the request or issue raised,
  - A recommendation relating to the request or issue.

8. The coordinators of the petition will be written to after the item has been considered by Council to thank them for the petition and to advise of Council's decision.

#### **REVIEW PROCESS**

The Council will review this Policy within 12 months of the adoption date of the Policy.

#### **INFORMATION**

The contact officer for further information at the City of Norwood Payneham & St Peters is Council's Manager, Governance & Civic Affairs, telephone 8366 4549.

#### **ADOPTION OF THE POLICY**

This Policy was adopted by Strategy & Policy Committee on 4 March 2002.

#### **TO BE REVIEWED**

2010