

Petitions to Council Policy

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1. Purpose

To provide a framework for the presentation and response to petitions to Council.

2. Statement

This policy applies to all petitions forwarded to Shoalhaven City Council, including those forwarded directly to a Shoalhaven City Councillor or the Chief Executive Officer.

This policy excludes:

- Petitions that relate to objections to environmental planning applications or a planning decision that has already been made by Council; and
- Petitions regarding any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.

3. Provisions

Any member of the community may organise, sign or submit a petition.

Petitions can be submitted to any Shoalhaven City Councillor or the Chief Executive Officer

3.1 Petitions to be relevant to Council

The following categories of petitions will be considered by Council:

- Matters relating to Council's assets, operations and responsibilities.
- Matters which:
 - affect Shoalhaven City Council or the Shoalhaven community, and
 - where Council is in a position to exercise some degree of influence.

If a petition concerns a matter over which Council has no direct control or a request is made for the Council to petition an external Government agency, the Chief Executive Officer will consider action to be taken such as, providing the petition to the relevant body on behalf of Council, or providing a report to Council outlining the petition content.

Where a petition relates to a matter for which Council has no responsibility or ability to exert influence, the Chief Executive Officer or delegate may return the petition to the petition organiser with an explanation, and wherever possible, provide advice on the appropriate agency or organisation to consider the petition.

3.2 Required content for valid petition

To be considered a valid petition, in addition to the petition being relevant to the Council as outlined at 3.1 above, a petition document must contain:

- A clear and concise statement identifying the subject matter and the action requested on each page / document submitted.
- The name and contact details of the person (and where relevant the organisation they are representing) who is submitting the petition to Council. If a contact person is not provided, Council will assume the first signatory to be the main contact.
- An accompanying statement summarising the intent of the petition and specifying the number of signatories. A minimum of four (4) signatories from different households are required.

- In the case of a paper petition (that is, a printed document submitted by hand or post):
 - a heading on each page indicating the subject matter and the action requested
 - the full name, address and signature of each person.

A template is provided at Appendix B for hardcopy petitions

- In the case of an electronic petition (that is, a document submitted by email or other electronic means), the full name and address of the person supporting the petition along with a statement by that person certifying that the statement identifying the subject matter and the action requested as set out at the beginning of the petition has not been altered.

Petitions hosted on online engagement platforms (that is, internet or e-petitions which are signed online, usually through a form on a website) will be accepted as long as they meet the requirements of a valid petition. Such petitions must be submitted in PDF format or printed version, not as a link to a website, and must include the details as set out above, with the email addresses of the persons supporting the petition as provided by the online engagement platform.

Shoalhaven City Council reserves the right to reject any petition that does not meet these criteria.

3.3 Presentation of a Petition to the Council

a. Tabling at a Council meeting by a Councillor

If a Councillor receives a completed petition they may either:

1. Table the original document at a meeting of the Council, or provide the Chief Executive Officer with an electronic PDF copy of the petition in advance of the meeting at which it is tabled. In accordance with Paragraph 9.19 of the Code of Meeting Practice the tabling of the petition will be recorded in the minutes and the petition will be assigned to the appropriate officer for action; or
2. Forward the petition to the Chief Executive Officer for registration by Council.

b. Receipt of petition as correspondence to the CEO

Where the Chief Executive Officer or other staff receive a petition, it will be registered in Council's Electronic Records Management system as correspondence and assigned to the appropriate officer, to be dealt with in accordance with correspondence standards and this Policy.

3.4 Action Arising from the Receipt of a Petition

1. Where a petition relates to a current consultation process, including planning and development matters on which the Council has not made final determination, the petition will be considered as a group submission to that process and correspondence from Council will be provided with acknowledgement, such correspondence being made with only the individual who submitted the petition. When a petition is received relating to a Development Application during the period of its public exhibition, it will be considered as a submission to the exhibition.
2. All other petitions received of fewer than 500 signatures will be treated as general correspondence to the Council.

3. In the event a petition containing 500 or more signatures on a matter which is not part of a consultation process is received by Council, the subject matter of the petition shall trigger a report from the Chief Executive Officer at a future meeting of Council. The timetable for the Report will be determined by the Chief Executive Officer.
4. The report shall provide the Council with an outline of the petition, subject and, where relevant, proposed further action which is intended or recommended by the Council. The petition submitter shall be advised by the report author of the meeting at which the report will be listed. The report will not include a copy of the signed petition for privacy reasons.
5. When a petition is received on a matter which has been addressed by the Council or is about the same issue as a previous petition received (within the previous 12 months), the Chief Executive Officer or Director may determine that that the issues raised have previously been addressed and a report to Council is not warranted, in which case the petitioner will be informed of this decision.

3.5 Access to information and Privacy

Petitions usually contain personal information such as signatures, addresses and contact details. Information contained in petitions will be managed in accordance with Council's Privacy Management Plan and requests for access petitions will be considered in accordance with the Government Information (Public Access) Act 2009 (GIPA Act) and the Privacy and Personal Information Protection Act 1998 (PPIP Act).

Where considered warranted Council may contact individuals who have signed the petition for reasons which may include: to clarify community sentiment; to arrange a community forum; or to provide correspondence about the subject matter of the petition they signed.

4. Implementation

City Performance will administer this policy.

5. Review

City Performance (Business Assurance & Risk) will review this policy once every 4 years.