

# PETITION POLICY

## STRATEGIC POLICY

**Responsible Department:** Cabonne Services

**Responsible Section:** Governance & Corporate Performance

**Responsible Officer:** Department Leader - Governance & Corporate Performance

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### Objective

This policy outlines the procedure to be undertaken for petitions from the community to Council.

### Introduction

This policy was created due to there being a procedure for the handling of petitions in the superseded Code of Meeting Practice Policy. The procedure was no longer required in the Code of Meeting Practice Policy but is still required for Council.

This policy applies to the staff of Cabonne Council in ensuring the procedure is followed.

### Policy

The Act and the Regulation do not refer to the submission or tabling of petitions to a council. The General Manager will submit a report to the next available council meeting with any petition received, other than any petitions relating to a Development Application. When submitted as a Development Application submission, the petition will be considered as per the development assessment process. However, a petition will not be tabled if, in the opinion of the General Manager:

- it does not contain the content details outlined below, or
- it is defamatory, or
- any action it proposes is unlawful.

Petitions must contain the following content detail:

- a heading on each page indicating the subject matter of the petition and the action sought from Council.
- a brief statement on each subsequent page of the subject matter and the action requested.

- a provision for the acceptance of publication of details.
- a defined point of contact (the principle contact person for the petition).
- name, address and signature of those people who support the petition.

Please note that submissions relating to planning matters, Development Applications and planning proposals will be considered as part of a separate process.

### **A Petition Form is attached as Annexure A.**

Care should be taken to follow the *Privacy and Personal Information Protection Act 1998* (PPIPA) with respect to the use and communication of personal information contained in petitions. Section 18 of the PPIPA provides that a council may not communicate personal information unless it is directly related to the reason why the information was collected, and the council has no reason to believe that the person concerned would object.

Communication of the information can also take place if a person is likely to have been aware (or has been made aware in line with section 10 of PPIPA) that this type of information is usually told to another person or organisation.

The question of whether a petition may be published in council's business papers can only be decided by reference to the subject matter and wording of the petition, how council advertises matters in its business papers, and what instructions council staff provide to people making a petition to council.

### **Responsibilities**

**General Manager:** to objectively decide if to table a report on a petition to the next available council meeting.

### **Definitions**

**Act:** Local Government Act 1993

**Regulation:** Local Government (General) Regulation 2005

### **References**

Privacy and Personal Information Protections Act 1998

## History

Minute No.	Summary of Changes	New Version Date
20/10/14	Adopted by council	27 October 2020
22/11/15	Readopted as per s165(4)	22 November 2022

**Annexure A - Petition Form**

Date: \_\_\_\_\_

Point of Contact (name and contact number):

Please note that by signing this document, you are accepting that your information will be subject to public access within the council business paper and council meeting documentation.

To the Mayor and councillors of Cabonne Council,

SUBJECT OF PETITION:

ACTION REQUESTED: We, the undersigned, petition the Mayor and councillors of Cabonne Council to:

Name (please print)	Address (please print)	Signature

Add additional pages as necessary.