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| Policy Number: | G8 |
| Relevant Delegation: | Not Applicable |
| Adoption Details: | 28 January 2016 |
| Last Review Details: | 25 November 2019 |

POLICY OBJECTIVE:

To set out the standards for submission of petitions to the Shire of York, their receipt and response to matters raised.

POLICY SCOPE:

This policy applies to all petitions to the Shire of York, other than requests for the calling of special meetings under the Local Government (Administration) Regulations – Regulation 16.

POLICY STATEMENT:

INTRODUCTION

Petitions inform the Council, in a public way, of the views of a section of the community and serve as one means of placing community concerns before Council.

Electors of the Shire of York may petition the Council to take some form of action over a particular issue. For example, petitions may ask the Council to change an existing policy, local law, or recent decision, or for the Council to take action for a certain purpose or for the benefit of particular persons. The subject of a petition must be a matter on which the Council has the power to act.

Shire of York Standing Order 3.4. provides for the Council to receive petitions. This policy sets out the standards and requirements for petitions and the process for responding to matters raised.

PRINCIPLES

- (a) Petitions to the Shire will be received in a positive manner.
- (b) A response to a petition will be made in a timely manner.
- (c) Any response to a petition will actively seek positive outcomes which accommodate as much as possible the concerns of the petitioners, provided that response can be delivered in a way that is consistent with Shire budget decisions and approved annual programs and regulatory accountabilities.
- (d) If a petition relates to a matter currently under consideration by the Council for decision, or to a matter currently being consulted upon, the petition information will be included as an input into any report to Council on that process.

PROVISIONS

1. PREPARING AND PRESENTING A PETITION

- 1.1 Petitions must contain the information set out in Clause 6.10 of the Shire of York Local Law Council Meetings 2016.
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Clause 6.10 Petitions

To be presented to Council, a petition is to:

- be addressed to the President of the Shire.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the name, address and signature of each elector making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name of the person to whom, and an address at which, notice to the petitioners can be given.

be in the form prescribed by the Act and Local Government (Constitution) Regulations 1996 if it is:

- (i) a proposal to change the method of filling the office of President.
- (ii) a proposal to create a new district or the boundaries of the Local Government.
- (iii) a request for a poll on a recommended amalgamation.
- (iv) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.
- (v) A petition for a Citizens' Initiated Referendum.

1.2 The petition should:

- as far as practicable be prepared in the prescribed form.
- be respectful and temperate in its language and not contain language disrespectful to Council.
- be legible.
- not contain any alterations.
- not have any letters or other documents attached to it, however a covering letter is permissible.

2. PETITION SIGNATURE REQUIREMENTS

2.1 A petition is more representative of public feeling if it is signed by as many electors as possible. Although anyone can sign a petition, only those Shire of York electors will be recorded in the official signature count.

An elector is a person who owns or occupies rateable property within the Shire of York and is eligible to vote in Local Government and State Government Elections.

2.2 All the signatures on a petition must meet the following requirements:

- every signature must be written on a page bearing the terms of the petition, or the action requested by the petition.
 - signatures must not be copied, pasted or transferred on to the petition nor should they be placed on a blank page on the reverse of a sheet containing the terms of the petition.
 - each signature must be made by the person signing in his or her own handwriting.
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3. PETITION PRESENTATION

- 3.1 A petition can only be presented to Council at an Ordinary Council Meeting by the Shire President, a Councillor, or the Chief Executive Officer.
- 3.2 The person initiating the petition is to forward the petition to the Chief Executive Officer, Shire President, or a Councillor prior to the commencement of the Ordinary Council Meeting at which they would like the petition presented.

4. RECEIPT OF AND RESPONSE TO PETITIONS

- 4.1 One of the first items of business at a Council Meeting is for the Council to receive any petitions that have been presented. The Chief Executive Officer or Councillor presenting the petition will read out a summary of the reasons for the petition being submitted and the number of signatures within it (if possible)
- 4.2 When the petition is received, no discussion on the matter will take place and the petition will be referred to the Chief Executive Officer for appropriate action.
- 4.3 Every petition presented will be referred to a representative of the Chief Executive Officer responsible for the matter. The Chief Executive Officer will inform the petition initiator of the action proposed in dealing with the petition. An update report will be presented to the next Ordinary meeting of Council identifying the action undertaken in response, or proposed to be taken, for consideration by the Council.
- 4.4 Formal feedback via a letter from the Shire President/ CEO will be made to the initiator of the petition.

PENALTIES:

Not applicable.

KEY TERMS/DEFINITIONS:

Not applicable.

Responsible Officer: Chief Executive Officer

Contact Officer: Chief Executive Officer

Relevant Legislation: Shire of York local law (Council Meetings) 2016 Clause 6.10

Review History:

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