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Policy Number:	G8
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	25 February 2025

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#### **POLICY OBJECTIVE:**

To provide the standards for submitting petitions, their receipt and response to matters raised.

#### **POLICY SCOPE:**

This policy applies to all petitions to the Shire of York, excluding requests for calling special meetings in accordance with Regulation 16 of the *Local Government (Administration) Regulations 1996*.

#### **POLICY STATEMENT:**

#### **INTRODUCTION**

Petitions inform 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.

Any elector of the Shire of York, or a group of electors, may petition Council to take some form of action over a particular issue. For example, petitions may ask Council to change an existing policy, local law, or recent decision, or for 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 Council has the power to act.

#### **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.
- 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 verified signature count.

An elector is a person who owns or occupies rateable property within the Shire of York and is enrolled to vote in Local 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 their 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 lead petitioner is to forward the petition to the Chief Executive Officer, Shire President, or a Councillor approximately ten (10) business days prior to an Ordinary Council Meeting to allow it to be processed and verified.

### **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. The name and locality of the lead petitioner
  - b. The number of verified signatures
  - c. The text of the petition
  - d. The reasons provided for the petition.
- 4.2 When the petition is presented to a Council Meeting, no discussion on the matter will take place and the petition will be referred for appropriate action. The Officer's Recommendation for receiving a petition will be as follows:

*That Council note the petition received by xxx in relation to xxx will be forwarded to the relevant Officer for consideration in accordance with clause 6.10(2) of the Shire of York Local Government (Standing Orders) Local Law 2016.*
- 4.3 All petitions received will be forwarded to the relevant Officer responsible for the matter. It is the business unit's responsibility to inform the lead petitioner of the action proposed in dealing with the petition. A report will be presented to the next Ordinary Meeting of Council, including the petition as an appendix, identifying the action undertaken in response, or proposed to be taken, for consideration by the Council.
- 4.4 Following consideration by Council, the relevant Officer will provide a written response to the lead petitioner advising the outcome of Council's decision.

### **5. PRIVACY CONSIDERATIONS**

- 5.1 All petitions presented at Council Meetings are public documents, available on the Shire's website and which can be inspected by members of the public at any time, in accordance with Section 5.94(p) of the *Local Government Act 1995*.
- 5.2 As a public document, it is the responsibility of the lead petitioner to ensure that signatories to a petition are aware of the public nature of petitions submitted to Council.

### **PENALTIES:**

Not applicable.

### **KEY TERMS/DEFINITIONS:**

Not applicable.

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Responsible Officer: Chief Executive Officer

Contact Officer: Council & Executive Support Officer

Relevant Legislation: Shire of York Local Law (Council Meetings) 2016 Clause 6.10

Review History:

<b>Date Review Adopted:</b>	<b>Resolution Number</b>
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